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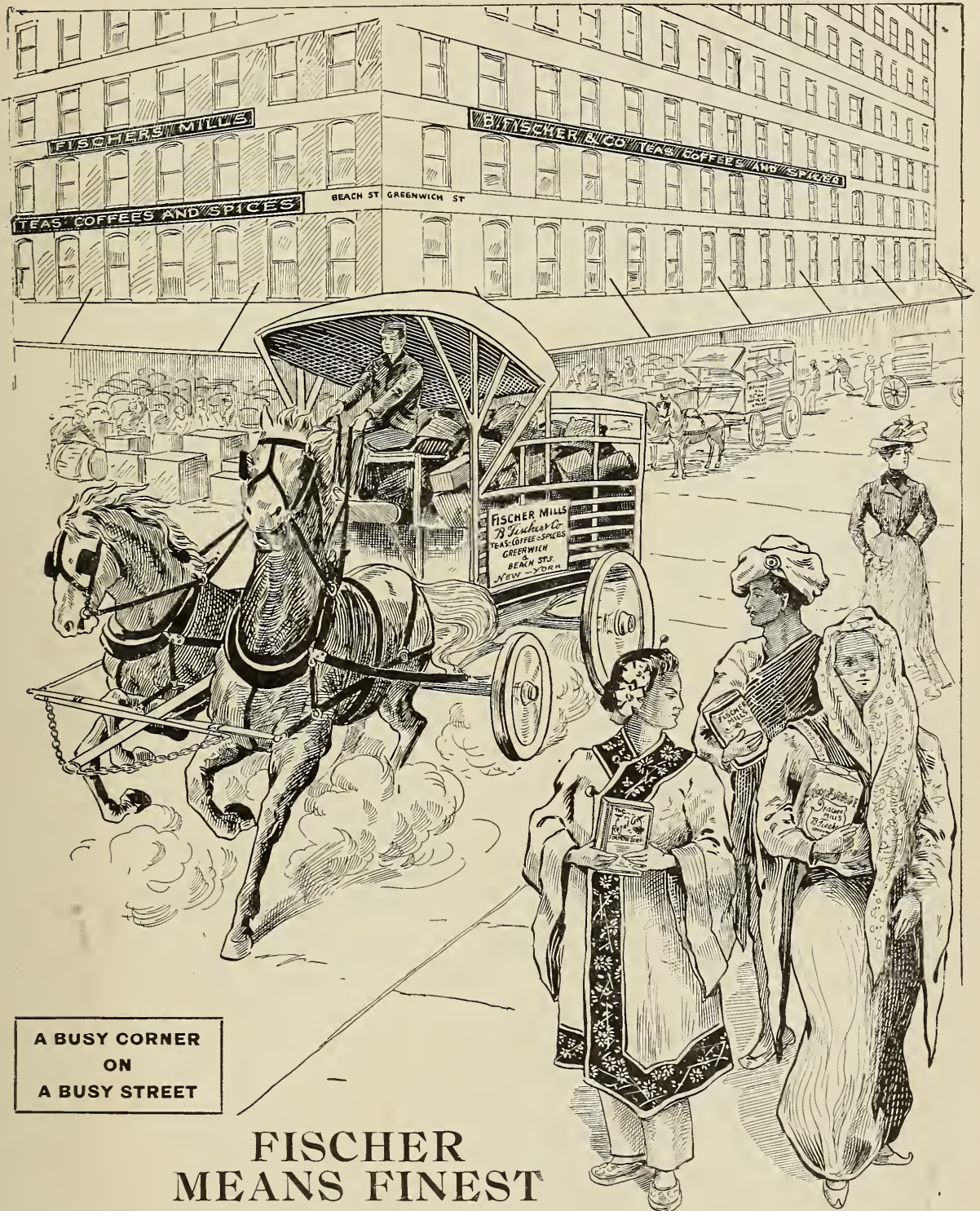
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JOURNAL OF PROCEEDINGS
OF THE
FIFTH ANNUAL CONVENTION
OF THE
National
Association of State Dairy and Food
Departments

BUFFALO, NEW YORK

CONTAINING

The Proceedings of the Fifth Annual Convention, the Dairy and Food Laws of all the States and Territories, together with half-tone illustrated portraits of Commissioners, Assistant Commissioners and Chemists, the Rulings and Tables of Standards adopted by the various States and Territories in the United States

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INTRODUCTORY.

PURE FOOD is as necessary to good health as pure air is essential to long life, hence thoughtful minds throughout the world recognize the importance of pure food as the great promoter of the welfare of mankind. In harmony with this idea The National Association of State Dairy and Food Departments determined at its last Annual Convention held at Buffalo, N. Y., to present to the public in convenient shape the proceedings of the meeting, together with the rulings, and tables of standards of the various States relative to food products, as well as set forth such progress in legislative action as has been made in securing protective laws in such communities wherever a high order of civilization is maintained.

This being the first effort that has been made to compile a volume of this character it contains besides the aforesaid matter, the Dairy and Food Laws of every State in the Union, and also beautiful half-tone cuts of the several State Dairy and Food commissions.

For the purpose of protecting and safe-guarding these vast interests nearly every State in the country has statutes calculated to afford protection, and an aroused public sentiment has demanded the establishing of pure food commissions in the various States who, while *working no hardship upon reputable houses, curtail the adulterated products of irresponsible firms*, and while perhaps not fulfilling all the expectations of its promoters, it is the consensus of opinion that working in harmony with one another in perfecting UNIFORM LAWS of the States of the Union great good has already been accomplished. The aim of these Boards is now more clearly defined, and the honest and legitimate manufacturer and producer has therefore found these pages an invaluable aid in placing their goods on the market.

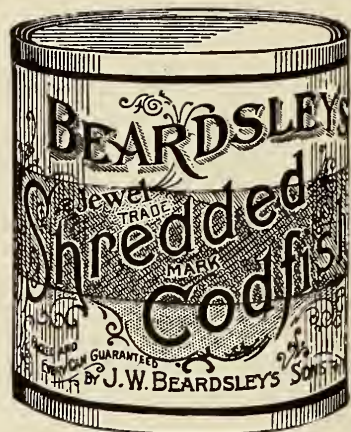
The increased inquiry for pure food being expected as the result of business announcements in these pages, carrying with it the guaranty of the purity of the products offered the consuming public, thus serving the double purpose of increased demand for pure food goods and restricting the sale of adulterated ones.

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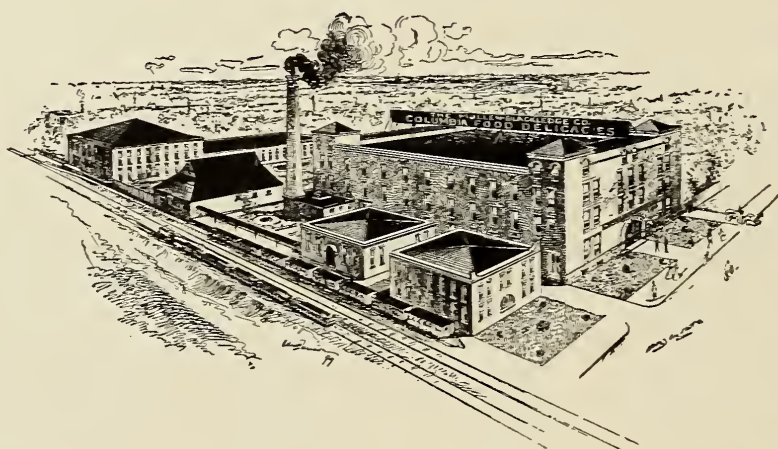
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NATURE'S FOOD: Because it is the embodiment of **WHOLE WHEAT** with nothing added to or taken from.

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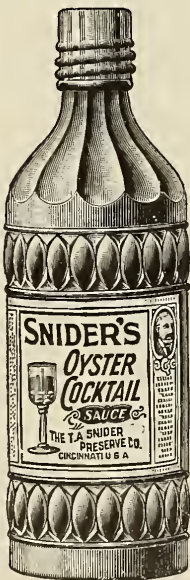


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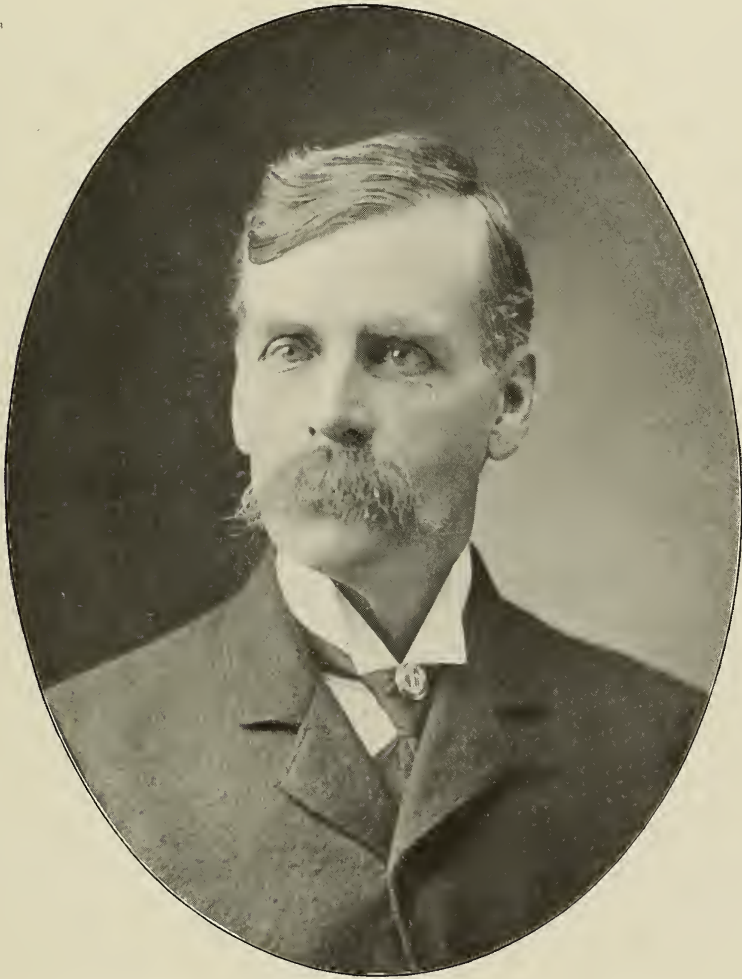
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HON. VESPASIAN WARNER
Who Introduced H. R. 9351

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New York, N. Y.

Lancaster, Pa.



**Presented by The National Association of State Dairy and Food Departments in Favor
of Uniform Legislation for the Conduct and Operation of the Same.**

* The Amendments refer to pages and sections of the Original Bill as prepared for Congress, and not to the pages of the Bill as here published.

To the Congress of the United States:

Your memorialists, A. H. Jones, J. E. Blackburn, R. M. Allen, J. B. Noble, John Hamilton and H. C. Adams, respectfully state that they constitute a Committee on Legislation, appointed at the Fifth Annual Convention of The National Association of State Dairy and Food Departments held on the seventeenth day of October, A. D. 1901, at Buffalo, N. Y.; and that they firmly believe they voice the best public sentiment of the country in favoring the passage, at the earliest possible date, of House Bill No. 9351, entitled "A Bill for the establishment of a Food Bureau in the Department of Agriculture, and for preventing the adulteration and misbranding of foods in the District of Columbia and the Territories, and for regulating interstate commerce therein, and for other purposes," amended as follows:

* 1.—By striking out the word "not" in Section Five, immediately after the word "as," in Section Five, in the Fifteenth line of page Four;

2.—By inserting the words "or ingredient injurious to health" immediately after the word "ingredient" in Section Six, in the Third line of Page Six;

3.—By inserting the words "under coined names" immediately after the word "compounds," in Section Six, in the Fifth line of page Six;

4.—By striking out the word "be" immediately before the word "now" in Section Six, in the Sixth line of page Six;

5.—By inserting the word "be" immediately after the word "hereafter" in Section Six, in the Sixth line of page Six;

6.—By inserting the word "healthful" immediately after the word "as" in Section Six, in the Sixth line of page Six;

7.—By striking out the words "under coined names" immediately after the word "food" in Section Six, in the Seventh line of page Six;

8.—By striking out Section Eight on page Seven of said Bill, as it now reads, and inserting in lieu thereof a new section to be known as "Section 8," to be in words and figures as follows:

"Section 8. That there shall be appointed by the Secretary of Agriculture, for a period of four (4) years, one physician, one food analyst, one physiologist and pharmacologist, one medical officer of health, and one representative of food manufacturers and producers, at a salary of three thousand dollars (\$3,000) per annum each, to be known as the Committee on Food Standards, each of whom shall be an expert and a recognized authority upon the subject embraced by his profession. The Committee on Food Standards shall consider and fix standards of food and food products, and prescribe the character of the label which it shall be lawful to use upon each article of food or food product. The standard of each article of food or food product agreed upon and

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MEMORIAL--Continued

established by said Committee shall be the legal standard to which all articles of food or food products manufactured for sale, offered for sale, exposed for sale, sold or exchanged, or had in possession with intent to sell, or offer for sale or exchange, shall conform.

"It shall be the duty of the Secretary of Agriculture to publish from time to time the decisions of said Committee for the information of the public, and said decisions when duly certified by the Secretary of Agriculture shall be admitted as evidence in all courts."

9.—By striking out the word "or" immediately before the word "offering" in Section Ten, in the Tenth line of page Eight;

10.—By inserting immediately after the word "sale" in Section Ten, in the Tenth line of page Eight, the words "having in possession with intent to sell;"

11.—By striking out the words "selling, or" immediately after the letters "turing" in Section Ten, in the Sixteenth line of page Eight;

12.—By inserting the words "selling or having in possession with intent to sell" immediately after the word "sale" in Section Ten, in the Sixteenth line of page Eight;

13.—By inserting the words "or had in possession with intent to sell" immediately after the word "sale" in Section Twelve, in the Seventeenth line of page Nine;

14.—By properly punctuating said Bill as amended.

Your memorialists would respectfully represent that one of the main objects of said bill is to enable some government authority to reach by law the manufacturers of adulterated food products wherever located within the United States; for the reason that adulterated goods are frequently manufactured in one state and shipped to and sold in another, the local laws as to reaching the manufacturer directly being thereby evaded. The State officers in such cases are left no recourse but to prosecute the retailer, who is frequently innocent of intent to defraud the public.

The National Association of State Dairy and Food Departments has for some considerable time labored to bring about such legislation by Congress as would govern and regulate the sale of food stuffs in all parts of the country and thereby enable the workings of the Pure Food Commissions of the various States of the Union to be conducted upon uniform lines.

For the purpose of fully elucidating our position in this regard, your memorialists desire respectfully to state that public sentiment has demanded, for the purpose of safe-guarding and protecting the vast interests involved—the food products of the country—the establishing of Pure Food Commissions by the majority of the states, such commissions being vested with supervisory powers in relation to the production, handling and sale of all food products within such states; and that we, your memorialists, virtually speak in behalf of the legally organized Pure Food Commissions of the country.

We would respectfully call the attention of your honorable body to the fact, however, that owing to local conditions and certain variances in the language and wording of the acts passed by the different state legislatures, there is much confusion as to details in the operation of the various State Dairy and Food Commissions, and as to the construction of these laws, and to a very considerable extent the purposes for which said commissions have been established are thereby defeated.

The main objects of the State Pure Food Departments are, briefly stated, to prevent the production and sale of adulterated food under false pretenses, and to insist upon the public being plainly advised as to the true name and nature of the article or ingredient of food supplied by the manufacturer or vendor of the same.



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PROPRIETOR

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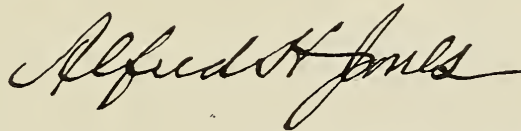
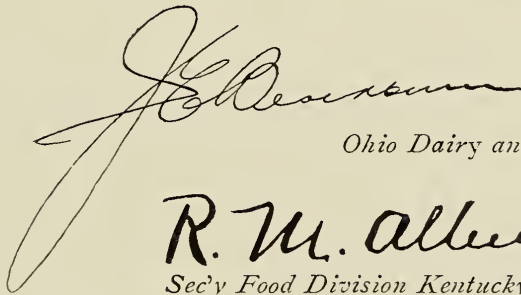
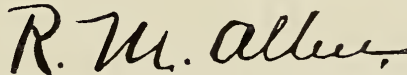
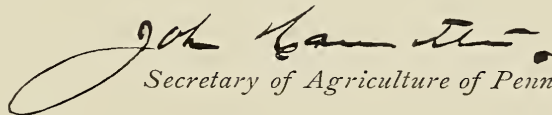
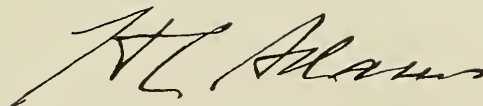
OUR PRODUCTS COMPLY WITH THE PURE FOOD LAWS

MEMORIAL---Continued

A uniform system of labeling all packages, bags, cases or other parcels of food products to accomplish the above object, such label stating the true and specific name of the contents, is the only effectual means to the end desired, and it is also that there may be adopted uniformity of rules and of action in this regard that your memorialists urge upon your honorable body the desirability of passing this bill.

Your memorialists would further urge upon your attention that the measure, the enactment of which is sought, is desirable from the standpoint of public health and vitality, and even from the point of view of our national honor and public morality; that pure food tends toward and contributes to the health and thereby to the happiness of the nation; that laws insuring it affect beneficially great industries and millions of wage earners; and that wise legislation framed and enforced for that purpose cannot fail to have the most salutary and beneficial effect upon the entire nation.

We therefore trust that in presenting this petition we shall have given to your honorable body full and satisfactory reasons for the passage of the bill.

*Illinois State Food Commissioner.**Ohio Dairy and Food Commissioner.**Sec'y Food Division Kentucky Experiment Station.**Dairy Commissioner of Connecticut.**Secretary of Agriculture of Pennsylvania**Dairy and Food Commissioner of Wisconsin.*

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AT THE NATIONAL EXPORT EXPOSITION. PHILADELPHIA, NOV. 29, 1899.

57th CONGRESS,
1st Session.

H. R. 9351.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 18, 1902.

Mr. WARNER introduced the following bill; which was referred to the Committee on Agriculture and ordered to be printed.

A BILL

For the establishment of a food bureau in the Department of Agriculture, and for preventing the adulteration and misbranding of foods in the District of Columbia and the Territories, and for regulating interstate commerce therein, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of collecting facts with reference to the manufacture and sale of food products, and of protecting the commerce in such food products between the several States and in the District of Columbia and the Territories of the United States, and foreign countries, there is hereby created within the Department of Agriculture a food bureau, the head of which shall be known as the food commissioner, who shall be appointed by the President, and shall receive for his services an annual salary of five thousand dollars. His term of office shall be for four years and until his successor is appointed and has qualified. The food commissioner shall, with the approval of the Secretary of Agriculture, appoint a chief chemist, who shall receive for his services an annual salary of three thousand six hundred dollars. The food commissioner shall prescribe all rules and regulations of the food bureau, and shall analyze, or cause to be analyzed or examined, microscopically or otherwise, samples of food offered for sale in any State or Territory other than where manufactured, or from a foreign country. The food commissioner is hereby authorized to employ such chemists, inspectors, clerks, laborers, or other employees as may be necessary to carry out the provisions of this Act, and make such publication of the results of examinations and analyses, and so forth, as he may deem proper, as hereinafter provided in section three of this Act.

SEC. 2. That the introduction into any State or Territory or the District of Columbia from any other State or Territory or the District of Columbia or foreign country of any article of food which is adulterated or misbranded within the meaning of this Act is hereby prohibited, and any person who shall ship or deliver for shipment from any State or Territory or the District of Columbia or foreign country to any other State or Territory or the District of Columbia or to a foreign country, or who shall receive in any State or Territory or the District of Columbia from any other State or Territory or the District of Columbia or foreign country, or who, having received, shall deliver for pay, or otherwise, or offer to deliver to any other person any such article

HOUSE BILL 9351--Continued.

so adulterated or misbranded within the meaning of this Act, or any person who shall sell or offer for sale in the District of Columbia or the Territories of the United States such adulterated or misbranded foods, shall be guilty of a misdemeanor, and for such offense shall be fined not exceeding two hundred dollars for the first offense, and for each subsequent offense not exceeding three hundred dollars, or be imprisoned not exceeding one year, or both, in the discretion of the court: *Provided, however,* That in the case of articles received from or shipped to a foreign country, each package shall be considered a separate and distinct offense.

SEC. 3. That the chief chemist shall make or cause to be made, under rules and regulations to be prescribed by the food commissioner, examinations of specimens of food offered for sale in any State or Territory other than where manufactured, or from any foreign country, which may be collected from time to time under rules and regulations to be prescribed by the food commissioner, and under his direction in various parts of the country, and publish in bulletins the results of such analyses. If it shall appear from such examinations that any of the provisions of this Act have been violated, the food commissioner shall at once certify the facts to the proper United States district attorney, with a copy of the results of the analyses, duly authenticated by the analyst, under oath.

SEC. 4. That it shall be the duty of every district attorney to whom the food commissioner shall report any violation of this Act to cause proceedings to be commenced and prosecuted without delay for the fines and penalties in such case provided.

DEFINITIONS.

SEC. 5. That the term "food," as used in this bill, shall include all articles used for food and drink or condiment by man, whether simple, mixed or compound. The term "misbranded," as used herein, shall include all articles of food or articles which enter into the composition of food or condiments, the package or label of which shall bear any statement purporting to name any ingredients or substances as not being contained in such article, which statement shall be false in any particular; or any statement purporting to name the substances of which said article is made, which statement shall not fully give the names of all the substances contained in such article in any measurable quantities, or which names as a single article of food any mixture or compound.

ADULTERATIONS.

SEC. 6. That for the purposes of this Act an article shall be deemed adulterated in the case of food or drink:

First. If any substance or substances has or have been mixed and packed with it so as to reduce or lower or injuriously affect its quality or strength, so that such product when offered for sale shall deceive or tend to deceive the purchaser.

Second. If any inferior substance or substances has or have been substituted wholly or in part for the article, so that the product when sold shall deceive or tend to deceive the purchaser.

Third. If any valuable constituent of the article has been wholly or in part abstracted, so that the product when sold shall deceive or tend to deceive the purchaser.

Fourth. If it be an imitation of, or sold under the specific name of any other article.

Fifth. If it be mixed, colored, coated, powdered, or stained in a manner whereby damage or inferiority is concealed, so that such product when sold shall deceive or tend to deceive the purchaser.

Sixth. If it contain any added poisonous ingredient or any ingredient which may render such article injurious to the health of the person consuming it.

Seventh. If it be labeled or branded so as to deceive or mislead the purchaser.

Eighth. If it consists of the whole or part of a diseased, filthy, decomposed, or putrid animal or vegetable substance, or any portion of an animal unfit for food, whether manufactured or not, or if it is the product of a diseased animal or of an animal that has died otherwise than by slaughter: *Provided,* That an article of food which does not contain any poisonous added ingredient shall not be deemed to be adulterated in the following cases:

First. In the case of mixtures or compounds which may be now or from time to time hereafter known as articles of food under coined names and not included under definition fourth of this section.

Second. In the case of compound foods labeled, branded, or tagged so as to plainly indicate the foods forming the compound, and when not in imitation of other articles of food.

Third. When any matter or ingredient has been added to the food because the same is required for the production or preparation thereof as an article of commerce in a state fit for carriage or consumption, and not fraudulently to increase the bulk, weight, or measure of the food,

HOUSE BILL 9351---Continued

or conceal the inferior quality thereof: *Provided*, That the same shall be labeled, branded, or tagged as prescribed by the food commissioner so as to show them to be compounds and the exact character thereof.

Fourth. When the food is unavoidably mixed with some extraneous matter in the process of collection and preparation.

SEC. 7. That the food commissioner is hereby authorized to cause all compound, mixed, or blended products not only to be properly branded, and prescribe how this shall be done, but he may designate a color or colors and shape of packages, labels, printing, and wrappers containing the same.

SEC. 8. That the food commissioner may call upon the association of Official Agricultural Chemists to determine the standard of any food products within the meaning of this Act, and when so determined such shall remain the standard before all courts.

SEC. 9. That every person who manufactures for shipment and delivers for transportation from any State, Territory, or the District of Columbia to any other State, Territory, or the District of Columbia any article of food, and every person who exposes for sale or delivers to a purchaser any article of food received from a State, Territory, or the District of Columbia other than the State, Territory, or the District of Columbia in which he exhibits for sale or delivers such article of food, shall furnish within business hours and upon tender and full payment of the selling price, a sample of such articles of food to any person duly authorized by the food commissioner to receive the same, and who shall apply to such manufacturer or vendor or person delivering to a purchaser such article of food for such sample for such use, in sufficient quantity for analysis of any such article or articles in his possession. And in the presence of such dealer and an agent of the Department of Agriculture, if so desired by either party, said sample shall be divided into two parts and each part shall be sealed by the seal of the Department of Agriculture. One part shall be left with the dealer and one delivered to the chemist of the food bureau.

SEC. 10. That whoever refuses to comply, upon demand, with the requirements of section nine of this Act shall be guilty of a misdemeanor, and, upon conviction, shall be fined not to exceed one hundred nor less than twenty-five dollars, or imprisoned not exceeding one hundred nor less than thirty days, or both. And any person found guilty of manufacturing or offering for sale or selling an adulterated, impure, or misbranded article of food in violation of the provisions of this Act shall be adjudged to pay, in addition to the penalties heretofore provided for, all the necessary costs and expenses incurred in inspecting and analyzing such adulterated articles which said person may have been found guilty of manufacturing, selling, or offering for sale.

SEC. 11. That all manufacturers, manipulators, compounders, or mixers of compound, mixed, or imitation food intended for interstate or foreign traffic, shall make application to register said products for any State or foreign transportation to the Secretary of Agriculture, and in such application certify, under oath, that the article or articles manufactured, manipulated, compounded, or mixed are not deleterious or injurious to health, and agree to brand or pack said articles as prescribed by the rules of the food commissioner; and upon the payment of ten dollars the Secretary of Agriculture shall register such individual, firm, or corporation and have issued a certificate of registration under the rules prescribed by him of all the articles described as above provided; and said certificate of registration, together with the label, brand, or package prescribed, shall be lawful evidence of compliance with the provisions of this Act to all transportation companies engaged in interstate or foreign traffic. All moneys received under this section shall be covered into the Treasury, and to be appropriated by Congress for the purpose of properly carrying out the provisions of this Act, or for such other purposes as may be deemed advisable in connection with the work of the Department of Agriculture.

SEC. 12. That any article of food that is adulterated within the meaning of this Act and is transported or is being transported from one State to another for sale, or that be sold or offered for sale in the District of Columbia and the Territories of the United States, shall be liable to be proceeded against in any district court of the United States within the district where the same is found and seized for confiscation by a process of libel for condemnation. And if such article is condemned as being adulterated, the same shall be disposed of as the court may direct, and the proceeds thereof, if sold, less the legal costs and charges, shall be paid into the Treasury of the United States. The proceedings in such libel cases shall conform, as near as may be, to proceedings in admiralty, except that either party may demand trial by jury of any issue of fact joined in such case, and all such proceedings shall be at the suit of and in the name of the United States.

SEC. 13. That the expenditure of money authorized in carrying out the provisions of this Act shall not exceed one hundred thousand dollars in any one year.

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Wholesale Grocers

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PURE FOOD LAWS OF THE STATE OF ALABAMA.

The State of Alabama has few laws on the subject of pure food. It has no Food and Dairy Commission nor any department specifically charged with the enforcement of such laws as are on the statute books, with the exception of that law which prescribes that it is the duty of the Commissioner of Agriculture to "examine into the sale or delivery of any article, product or compound made wholly or partly out of any fat, oil, oleaginous substance, etc.," as hereinafter set forth. A digest of the laws is as follows:

UNWHOLESOME FOOD AND ADULTERATED LIQUORS AND CANDIES.

VOLUME 1, CHAPTER 182, CRIMINAL CODE, 1896.

Sec. 5321. Provides that any butcher or person who sells, offers or exposes for sale, or permits his agent or any person for him to sell, offer or expose for sale any tainted, putrid or unwholesome fish or flesh or the flesh of any animal dying otherwise than by slaughter or slaughtered when diseased for the purpose of being sold or offered for sale, must, on conviction, be fined not less than \$20 nor more than \$200, and may be imprisoned in the county jail or sentenced to hard labor for the county not more than six months.

Sec. 5322. Any baker or person who sells, offers or exposes for sale or permits his agent or any person for him to sell, offer or expose for sale any bread made from sour or unwholesome flour must upon conviction be fined not less than \$20 nor more than \$200 and may be imprisoned as in the foregoing section.

Sec. 5323. Any person who sells, offers or exposes for sale any bread, biscuit or cracker without having the name or the initials of the Christian and surname of the baker legibly marked on each biscuit, cracker or loaf of bread must upon conviction be fined not more than \$20.

Sec. 5324. Any person who counterfeits the name or initials of another on any bread, biscuit or cracker or marks any bread, biscuit or cracker with any other initials or name than his own must on conviction be fined not less than \$20 nor more than \$50.

Sec. 5325. Provides that any merchant, grocer, or other person who mixes any foreign matter or substance with sugar, syrup, molasses, lard or butter or other article of food to the detriment thereof or sells, offers or exposes for sale such adulterated sugar, syrup, molasses, lard or butter or other article of food or suffers his servants, agents or other persons

for him to so adulterate, sell, offer or expose for sale such adulterated sugar, etc., as aforesaid, must, on conviction, be fined not less than \$50 nor more than \$500, or may be imprisoned in the county jail or sentenced to hard labor for the county not more than six months.

Sec. 5326. Provides that any person who renders, manufactures, sells, offers or exposes for sale or has in possession with intent to sell or serve to persons, guests, boarders, or inmates of any hotel, eating house, restaurant, dining car, boarding house, public or private hospital, school or penal institution, any article, product or compound made wholly or in part of any fat, oil, oleaginous substance or compound not produced directly from unadulterated milk or cream from the same which shall be an imitation of yellow butter produced from pure unadulterated milk or cream from the same must, upon conviction, be fined not less than \$20 nor more than \$200; but this section shall not be construed to prohibit the sale of oleomargarine in such manner as will advise the consumer of its real character, free from coloration or ingredients that cause it to look like butter, having it stamped with its true name.

Note. This statute has been held as a valid exercise of the police power.

Sec. 5327. Any manufacturer, brewer, distiller, grocer, tavern-keeper, retailer of spirituous, vinous or malt liquors or any person who makes, distills, sells, offers or exposes for sale or permits his agent or other person for him so to do, any such liquors which have been adulterated by the mixing of any poisonous or unwholesome substance or which are composed in whole or in part of any drug or oil, must, upon conviction, be fined not less than \$250 nor more than \$1,000.

Sec. 5328. Provides any person, firm or corporation that shall manufacture, knowingly sell, give away or keep for sale any candies or confectionery of any kind adulterated by the admixture of Terra Alba, Barytes, Talc or other mineral substances, poisonous coloration, flavors or extracts or other ingredients injurious to health, shall be guilty of a misdemeanor punishable by a fine not less than \$50 nor more than \$500, and may be imprisoned in the county jail or sentenced to hard labor for the county not exceeding six months.

VOLUME 1, CIVIL CODE, 1896.

DUTY OF COMMISSIONER OF AGRICULTURE.

Sec. 376. Paragraph 20. Provides that he shall from time to time inquire and examine into the sale and delivery in the state of any

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Each label bears the above seal, which is a guarantee not only of quality, but that all Salmon bearing this seal was packed by the Alaska Packers Association entirely by machinery, therefore not touched by hand from the water to consumer. ∴ ∴ ∴ ∴ ∴

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article, product or compound made wholly or in part out of any fat, oil, oleaginous substance or compound thereof not produced directly at the time of manufacture from unadulterated milk or cream from the same, which shall be an imitation of yellow butter produced from pure, unadulterated milk or cream from the same. and for the purpose of making such in-

vestigation he is authorized to summon and examine witnesses and administer oaths to them whenever he has reason to believe that an offense has been committed against the laws, which it shall be his duty to so report, together with the evidence in the case, to the solicitor of the proper circuit or county to be laid before the grand jury.

PURE FOOD LAWS OF THE TERRITORY OF ALASKA.

The Territory of Alaska has no Food or Dairy Commission nor a department specifically charged with the enforcement of the laws relating to the adulteration of food, drinks and drugs. A digest of such laws as are in force is as follows:

CHAPTER 10, PENAL CODE. OFFENSES AGAINST PUBLIC HEALTH.

Sec. 156. Provides that if a person knowingly sell any kind of diseased, corrupt or unwholesome provisions, whether for meat or drink, without making the same fully known to the buyer, such person shall be punished by imprisonment in the county jail not less than three months nor more than one year, or fined not less than \$50 nor more than \$500.

Sec. 157. Provides that if any person adulterate for the purpose of sale any substance intended for meat or drink with any substance injurious to health, or sell or offer for sale any substance so intended, knowing the same to be so adulterated, such person shall be punished as in the last preceding section.

Sec. 158. Provides that if any person shall adulterate for the purpose of sale any drug or medicine so as to render the same injurious to health, or knowingly sell or offer for sale any adulterated drugs or medicine, such person shall be punishable as provided in the preceding section.

Sec. 159. Provides that any person who shall put any sewage, drainage, refuse, or pollution, which may as by itself or in connection with other matter corrupt or infect the water

of any spring, well, brook, creek, branch or pond which is used or may be used for domestic purposes, they shall be deemed guilty of a misdemeanor.

Sec. 160. Provides that any person who puts a dead animal, carcass or part thereof, excrement, putrid, nauseous or offensive substance, or in any other way befoils or pollutes the quality of any spring, brook, creek, branch or pond of water which is or may be used for domestic purposes, shall be deemed guilty of a misdemeanor.

Sec. 161. Any person violating the provisions of either of the two last preceding sections shall be punishable by fine not less than \$10 nor more than \$50, or imprisoned not less than five nor more than twenty days, or both fine and imprisonment.

Sec. 163. If any person sell or deliver any arsenic, corrosive sublimate, prussic acid, or other poison, without having the word "Poison" and the true name thereof in English written or printed upon the label attached to the vial, box or parcel containing the same, such person shall be punishable by a fine of not less than \$20 nor more than \$100.

LABELS.

CHAPTER 4.

Sec. 84. Provides that any person who shall knowingly use a brand, label, stamp or trademark in such a manner as to deceive any one shall be punishable by imprisonment in the county jail not less than one nor more than six months, and be fined not less than \$20 nor more than \$300.

MAGGI**BOUILLON****ESTABLISHED 1831****SEVENTY-ONE YEARS**

REPUTATION!!
ONLY FINE GOODS

JAMES P. SMITH & COMPANY

**90-92-94 HUDSON STREET
NEW YORK**

**57-59 SOUTH WATER ST.
CHICAGO**

**14 RUE D'ANTIN
PARIS**

Maggi Bouillon in Bottles, and Solid Extract of Beef in portions—10 portions to a tin—not equalled.

Antonini Pure Olive Oil for salads; reputation 60 years.

ANTONINI**Salad Oil****J. & J. COLMAN'S****D. S. F. MUSTARD**

**J. & J. COLMAN'S
D. S. F. MUSTARD**

**AND
JAMES P. SMITH'S
PURE SPICES**
 cannot be equalled

**SOLD BY
GROCERS & DRUGGISTS**

ALL OVER THE WORLD

JAMES P. SMITH'S**PURE SPICES**

PURE FOOD LAWS OF ARIZONA.

The Territory of Arizona has no Food or Dairy Commission, nor any department specifically charged with the enforcement of such laws on this subject as are on the Statute Books. A digest of the laws on the subject in force in the territory is as follows:

TITLE X.

PENAL CODE.

Sec. 337. Provides that every person who adulterates any article of food, drink, drug, medicine, spirituous or malt liquor or wine, or any article used in compounding them, with fraudulent intent to offer the same or permit it to be offered for sale as unadulterated or undiluted, and every person who fraudulently sells, keeps, or offers for sale the same as unadulterated or undiluted is guilty of a misdemeanor.

Sec. 338. Provides that any person who knowingly sells, offers for sale or disposes of any article of food, drug, drink or medicine, knowing the same to be tainted, decayed, spoiled, unwholesome or unfit to be eaten or drunk, with intent to permit the same to be eaten or drunk, is guilty of a misdemeanor.

Sec. 310. Every person who sells or keeps for sale any goods upon which any counterfeit trade-mark has been affixed intending to represent such goods as the genuine goods of another, knowing the same to be counterfeit, is guilty of a misdemeanor.

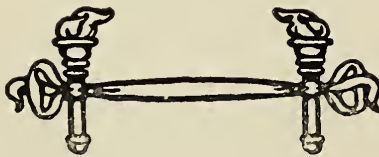
Sec. 312. The term "trade-mark" as used in section 310 includes every description of words, letters, devices, emblems, stamp, brand, imprint, label or wrapper usually affixed by any merchant, manufacturer, druggist, or tradesman to denote any goods to be goods imported, manufactured or sold by him, other than any name, word or expression denoting goods to be of some particular class or description.

Sec. 348. Provides that every person or cor-

poration who shall manufacture for sale or who shall offer or expose for sale within the Territory of Arizona any article or substance in semblance of butter not the legitimate product of milk or cream, into which the oil or fat of animals not produced from milk enters as a component part, or into which the oil or fat of animals not produced from milk has been introduced to take the place of cream, shall distinctly brand, stamp or mark in some conspicuous place on each package of such article or substance the word "Oleomargarine" in plain letters, not less than one-quarter of an inch square. In case of retail sale of such article or substance the seller shall in all cases deliver therewith to his customer or purchaser a printed label bearing the plainly printed word "Oleomargarine," the word to be printed with type each letter of which shall not be less than one-quarter of an inch square.

Sec. 349. Every person selling or retailing any article or substance described in section 348 shall keep conspicuously printed in not less than three exposed positions in or about their respective places of business a printed notice in the following words: "Oleomargarine sold here," said notice to be plainly printed with letters not less than two and one-half inches square each, and every hotel keeper, restaurant or boarding-house keeper or proprietor of other places where meals are furnished for pay using such article described in section 348 shall, upon furnishing the same to his guests or customers, if inquiry in the matter be made, cause each and every guest or customer to be distinctly informed that the said article is not butter, but oleomargarine.

Sec. 350. Any person violating any of the provisions of the two preceding sections is guilty of a misdemeanor.



MR. GROCER:

Here's a sure way to make money: OFFER YOUR CUSTOMERS

Croft's Swiss Milk Cocoa

ON THESE TERMS: Tell a woman you'll pay her money back if she doesn't like the cocoa. You pay her. We pay you—full retail price. She keeps the cocoa. You make your profit whether the cocoa suits her or not.

Buy one case of cocoa at your jobbers and offer every can of it on these terms. It is pure, fine cocoa and the *PUREST OF MILK*.



This is where CROFT'S SWISS MILK COCOA is made.

Croft & Allen Company

PHILADELPHIA

PURE FOOD LAWS OF THE STATE OF ARKANSAS.

This State has not made any provision for a Food and Dairy Commission, nor has its laws specifically charged any department with the enforcement of what few laws there are on the subject of Pure Food, with the exception of that law which provides that the Governor shall appoint a competent Inspector of Wine as hereinafter set forth, but it does not appear that said Inspector is charged with the inspection of any other articles of food, drink or medicine. A digest of the laws is as follows:

UNWHOLESOME MEAT, FISH, VEGETABLES, ETC. CHAPTER 48.

Sec. 1585. Provides that whoever shall knowingly sell, offer or expose for sale or bring or have brought to this state or sell or offer for sale or have in possession with intent to sell for food, the flesh of any animal that died otherwise than by slaughter, or slaughtered when diseased, or sell or offer for sale the flesh as of one animal knowing it to be another species, or offer for sale any tainted, diseased, corrupt, decayed or any unwholesome meat, fish, fowls, vegetables or produce or provisions of any kind whatever, without making the same fully known to the purchaser, or sell or offer to sell the meat of any calf which was killed before it had attained the age of six weeks, shall be deemed guilty of a misdemeanor and punished by a fine not exceeding \$500.00 or by imprisonment in the county jail, not exceeding six months.

ADULTERATED BUTTER.

Sec. 1586. Whoever shall sell any article, substance or compound made in imitation or semblance of butter or as a substitute therefor, not made exclusively of milk or cream, containing any oils, fats or grease, not produced from milk or cream, shall have the words "Adulterated Butter," or if such substitute is a compound known as "Oleomargarine" or "Butterine," or if it is known by any other name the word "Oleomargarine," or "Butterine," or such name as shall describe it properly, shall be stamped, labeled or marked in printed letters of plain Roman type, not less than one inch in length, not easily defaced, upon the top and side of every tub, firkin, box, or package containing such article or compound; and in case of retail sales of such articles, substance or compound the seller shall attach or cause to be attached to each package so sold and delivered therewith to the purchaser a label appearing in

a conspicuous place upon the outside of such package with the words "Adulterated butter," or the word "Oleomargarine" or "Butterine" or such other word or words as will correctly describe such article, as hereinbefore provided, in printed letters of plain Roman type, not less than one-half inch in length.

Sec. 1587. Whoever shall sell or expose for sale or possess with intent to sell any article, substance or compound in imitation or semblance of butter or as a substitute therefor, except as provided in Sec. 1586, and whoever shall deface, erase, cancel or remove any mark, stamp, brand or label, provided for by this act, or change the contents of box, tub, firkin or package, marked, stamped or labeled, as aforesaid, with intent to deceive the purchaser, shall be guilty of a misdemeanor, and upon conviction be fined not less than \$50.00 nor more than \$500.00.

Sec. 1588. If any hotel, inn or restaurant or boarding-house keeper shall set before his guests at any meal any of said article, substitute or compound, the dish or plate holding the same shall have clearly and visibly marked on some prominent part thereof the words "Adulterated butter," or the word "Oleomargarine," or "Butterine," or such word or words as may correctly describe such article in said dish or plate.

Sec. 1589. Whoever shall violate the provisions of Sec. 1588 shall be guilty of a misdemeanor and upon conviction fined not less than \$5.00 nor more than \$100.

Sec. 1590. The terms "Butter" shall be understood to mean the product known by that name, which is manufactured exclusively from milk and cream.

SESSION LAWS OF 1901. PAGE 180.

ACT CXIII.

ADULTERATED CANDY.

Sec. 1. Provides against the sale or offering for sale of any candy adulterated by the admixture of Terra Alba, Barytes, Talc or any other mineral substances consisting of or adulterated by poisonous colors or flavors or other ingredients detrimental or injurious to health.

Sec. 2. Provides a fine for violation of this act not to exceed \$100 nor less than \$50.

Sec. 3. Provides that such candy shall be destroyed under orders of the court.

Sec. 4. Repeals all laws conflicting herewith and provides this act shall take effect from and after its passage.

Approved April 20th, 1901.



THESE RAISINS are seeded by machinery of the most improved pattern, whereby not a hand touches the fruit, thus insuring to the consumer a clean and wholesome food; and being packed in 1-lb. Cartons, as represented above, are of a convenient size. ∴ ∴

THE J. K. ARMSBY COMPANY

SOLE AGENTS

CHICAGO

NEW YORK

BOSTON

SAN FRANCISCO

DAIRY AND PURE FOOD LAWS OF THE STATE OF CALIFORNIA.

This state has no food or dairy commission; nor is any department directly charged with the enforcement of what few laws there are on this subject on its statute books, but they are left to be enforced in like manner as other misdemeanors. A digest of the laws is as follows:

FRAUDULENTLY INCREASING WEIGHT OF GOODS.

TITLE X.

Sec. 381. Provides that every person who puts or sells in any bag, bale, box, barrel or other package in which goods are usually sold by weight, anything whatever, for the purpose of increasing the weight of such bag, bale, package, etc., with intent thereby to sell the goods therein, or enable another to sell the same for an increased weight, is punishable by a fine not less than \$25.00 for each offense.

FALSE TEST OF DAIRY PRODUCTS.

Sec. 381 a. Provides that any person, whether principal, agent or otherwise, who buys or sells dairy products or deals in milk, cream or butter, or buys or sells same upon the basis of their richness, or weight or percentage of cream or butter fat contained therein, who uses any apparatus or other provisions, or uses the "Babcock Test" or a machine of like character for testing such products, which is not accurate and correct or gives wrong or false percentages or is calculated in any way to defraud or injure the person with whom he deals, is guilty of a misdemeanor and upon conviction shall be fined not more than \$500 or imprisoned in the county jail not more than six months.

ADULTERATING FOOD, DRUGS, LIQUORS, ETC.

Sec. 382. Provides that any person who adulterates or dilutes any article of food, drink, drug, medicine, spirituous or malt liquor or wine, or any article useful in compounding them with fraudulent intent to offer or permit it to be offered for sale as unadulterated or undiluted; and every person who fraudulently sells, keeps or offers the same for sale as unadulterated or undiluted, or in response to an inquiry for any article of food, drink, drug, medicine, spirituous or malt liquor or wine, sells or offers for sale a different article or article of a different character, without informing such purchaser of such difference, is guilty of a misdemeanor.

DISPOSING OF TAINTED FOOD, ETC.

Sec. 383. Provides that every person who

knowingly sells, keeps or offers for sale or disposes of any article of food, drink, drug or medicine knowing the same is adulterated, or has become tainted, decayed, spoiled or otherwise unwholesome or unfit to be eaten or drunk, with intent to permit the same to be eaten or drunk, is guilty of a misdemeanor and may be fined not less than \$25.00 nor more than \$100, or imprisoned in the county jail not exceeding 100 days, or both; and may be adjudged to pay all the necessary expenses not exceeding \$50.00 incurred in inspecting and analyzing such articles.

The term "drug" as used herein includes all medicines for internal and external use, antiseptics, disinfectants and cosmetics. The term "food" as used herein includes all articles used for food or drink by man, whether simple, mixed or compound. An article is deemed to be adulterated within the meaning of this section:

(a) In the case of drugs: (1) If when sold under or by a name recognized in the United States Pharmacopoeia it differs materially from the standard of strength, quantity or purity laid down herein; (2) if when sold under or by a name not recognized in the United States Pharmacopoeia, but found in some other Pharmacopoeia or other standard work on materia medica, it differs materially from the standard of strength, quality or purity laid in such work; (3) if its strength, quantity or purity falls below the professed standard under which it was sold.

(h) In the case of food: (1) If any substance or substances have been mixed with it so as to lower or depreciate or injuriously affect its quality, strength or purity; (2) if any inferior or cheaper substance or substances have been substituted wholly or in part for it; (3) if any valuable or necessary constituent or ingredient has been wholly or in part abstracted from it; (4) if it is an imitation of or sold under the name of another article; (5) if it consists wholly or in part of a diseased, decomposed, putrid, infected, tainted or rotten animal or vegetable, substance or article, whether manufactured or not; and in the case of milk, if it is produced from a diseased animal; (6) if it is colored, coated, polished or powdered whereby damage or inferiority is concealed or if by any means it is made to appear better or of greater value than it really is; (7) if it contains any added substance or ingredient which is poisonous or injurious to health.

McLAUGHLIN'S XXXX COFFEE

IS ALWAYS A GOOD COFFEE

Although a packaged Coffee, it is not to be compared with other packaged coffees, as it is far superior to anything of the kind on the market. Every grocer should carry it in stock.



IMPORTED AND ROASTED BY

W.F. McLaughlin & Co.

CHICAGO

ALSO ROASTERS OF

HIGH GRADE BULK COFFEES



T. L. MONSON,
State Dairy Commissioner.



B. S. NEWLAND,
Deputy State Dairy Commissioner.

COLORADO DAIRY COMMISSION.

THE STANDARD OF EXCELLENCE

FLEISCHMANN & CO'S
COMPRESSED
YEAST

FOR FAMILY AND BAKERS' USE

SELLING MANUFACTURED BUTTER WITHOUT SHOWING ITS CHAR- ACTER.

Sec. 383-a. Provides that any person, firm or corporation who sells or offers for sale or has in possession for sale any butter manufactured by boiling, melting, deodorizing or renovating, which is the product of stale, rancid or decomposed butter or of any other process whereby said butter is manufactured to resemble pure creamery or dairy butter unless the same has plainly stenciled upon each and every package, barrel, firkin, tub, pail, square or roll in letters not less than one-half inch in length, "Process Butter" or "Renovated Butter," in such a manner as to advise the purchaser of the real character of such "Process" or "Renovated" butter, is guilty of a misdemeanor.

LABELING DRUGS.

Sec. 380. Every apothecary, druggist or other person carrying on business as a dealer in

drugs or medicine who, in putting up any such articles or making up any prescriptions or filling orders therefor, who willfully, negligently or ignorantly omits to label the same or puts an untrue label, stamp or other designation of contents upon any box, bottle, or other package containing any drugs or substitutes a different article for the article ordered or puts up a greater or less quantity of such article than is prescribed or otherwise deviates from the terms of the prescription, in consequence of which the human life is injured, is guilty of a misdemeanor or, if death ensues, is guilty of a felony.

ADULTERATING CANDY.

Sec. 402-a. Every person who adulterates candy by using in its manufacture Terra Alba or any other deleterious substance or sells or keeps for sale any candy or candies adulterated with Terra Alba or any other deleterious substance, knowing the same to be adulterated, is guilty of a misdemeanor.

THE DAIRY LAWS OF COLORADO.

The Dairy Laws of the State of Colorado are administered by a State Dairy Commissioner. He may appoint a deputy and also a practical chemist to assist him in the performance of his duty. The present officers of the Commission charged with the enforcement of the Dairy Laws of Colorado are as follows:

T. L. Monson Commissioner
B. S. Newland Deputy Commissioner

A digest of the laws which it is the duty respectively of the officers so named to enforce is as follows:

Section 1. The Governor shall appoint a practical dairyman as the Colorado State Dairy Commissioner for the term of two years, at an annual salary of \$1,200. Said Commissioner for at least one year preceding his appointment shall have been actually engaged in the business of dairying. He shall make semi-annual reports on or before June 20th and December 20th of each year to the Governor.

Sec. 2. The Commissioner shall have power to appoint a deputy at a salary of \$1,000 per year. He shall also have power to appoint a practical chemist at a salary of \$10.00 a day while actually engaged.

Sec. 3. The Commissioner and his deputy shall be entitled to their necessary traveling expenses while discharging their official duties.

Sec. 4. Prohibits the sale or use or service to

patrons, guests, boarders or inmates of any hotel, eating-house, restaurant, public conveyance, or boarding house, or public or private hospital, asylum, school or eleemosynary or penal institution, of any article, product or compound made wholly or partly out of any fat, oil or oleaginous substance or compound thereof not produced from unadulterated milk or cream from the same; and declares it a misdemeanor to violate this section, punishable as hereinafter provided; *Provided*, This act shall not prohibit the manufacture or sale of oleomargarine or filled cheese in a separate and distinct form, and if sold in such a manner as will advise the consumer of its real character, free from colorations or any ingredient that causes it to look like cheese or yellow butter.

NOTE—The Commissioner's office has been provided with a fine polariscope, which enables it, in most cases, to positively determine whether the suspicious sample is butter or not, so that the office is put to the expense of a chemical analysis only of those samples where it is necessary to prosecute the case.

Sec. 5. Provides that every cheese manufacturer who shall fail to distinctly and durably stamp on the bandage of every cheese manufactured, and on the box containing the same, in full-faced capital letters, the grade of the same, as "Colorado Full Cream," "skimmed" or "im-

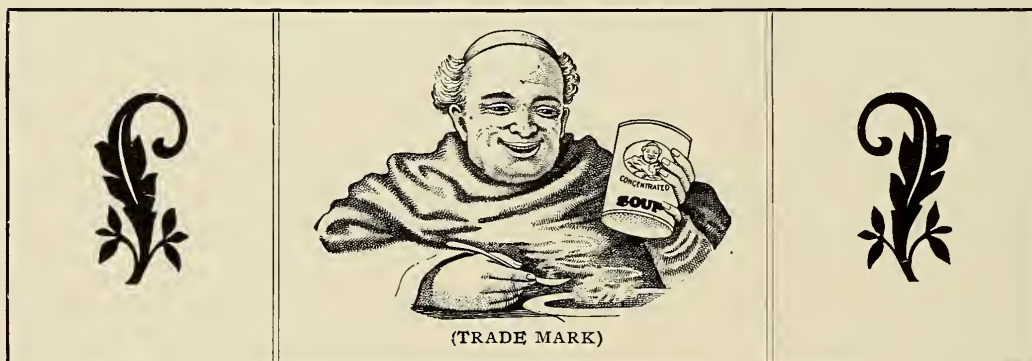
Mr. Grocer:—

Here's a good way to make money—you don't mind doing that, do you? Buy a case or a few cases, of

Anderson's Soups

from your jobber, and offer a can to each of your customers on these terms: She can try the Soup and if she doesn't like it, you can pay her money back. You tell us, giving the name and address of the customer, and we pay you full retail price.

This is really a new business. The Soup is only



10c a Can (six plates), and it is cheaper than Soup made at home, so instead of selling Soup only to people who have considerable money, you can sell Soup to every one of your customers—rich and poor. **ANDERSON'S SOUPS** are good enough for the rich, and cheap enough for the poor.

Try it yourself first on this same plan. If you don't like it, pay yourself back the 10c and we will pay you.

ANDERSON FOOD COMPANY

Camden, New Jersey.

itation" cheese, as hereinafter defined, is guilty of a misdemeanor, punishable as hereinafter provided. Brands and stencils for stamping shall be procured of the State Dairy Commissioner.

Sec. 6. The State Dairy Commissioner is authorized to issue to any cheese factory in the state upon proper application uniform stencils and brands to be used as hereinafter provided in section 5 hereof. All cheese containing not less than 35 per cent of butter fat in comparison with the total solids shall be branded "Colorado Full Cream Cheese." All containing less than the above prescribed amount of fat shall be branded "skim cheese." All cheese into which any foreign fats or other oleaginous substance, or the fats of stale, rancid, foul or impure butter have been introduced, shall be branded "imitation cheese."

Sec. 7. The State Dairy Commissioner shall issue the brands provided for in section 6, and keep a book containing a record of the number of each brand issued and the name and location of each factory receiving the same, and no factory other than the one to which such brand shall have been issued shall use the same.

Sec. 8. The Colorado State Dairy Commissioner shall have power to examine under oath any person whom he may believe has knowledge concerning the sale or use of imitations of butter or cheese; he is empowered to issue subpoenas requiring the appearance of witnesses and the production of books and papers, and may administer oaths with like effect as in any courts of law in this state. Any district court or county court shall issue an attachment for such witnesses on application of the Commissioner and compel them or any of them to attend before the Commissioner and give testi-

mony; and said court or judge shall have power to punish for contempt as in other cases.

Sec. 9. Inspectors of milk in cities and incorporated towns and the Colorado State Dairy Commissioner or his deputy shall, and any other person may, institute complaint before any justice of the peace or county court, and the district attorney or his deputy shall file information in the district court for a violation of the provisions hereof, and it shall be the duty of such attorney to prosecute complaints or information when the same may have been instituted.

Sec. 10. The Dairy Commissioner or any inspector of milk in cities shall enter all places where they have reason to believe that butter or cheese or imitations thereof may be stored or kept for sale or kept for the purpose of being offered for the use of patrons or customers and take samples for analysis by a practical chemist; such analysis shall be recorded and preserved as evidence; the certificate of such result, sworn to by such chemist, shall be admitted in evidence in all prosecutions; *Provided*, That the person accused may subpoena such chemist into court. The expenses of such analysis, not exceeding \$20, may be included in the costs of prosecution.

Sec. 11. Whoever hinders or obstructs the Commissioner, his deputy or any inspector of milk in the performance of their duty shall be punished by a fine of \$50 for the first offense, and \$100 for each subsequent offense, and stand committed to the county jail until such fine is paid.

Sec. 12. Whoever violates the provisions of sections 4 and 5 shall be punished by a fine of not less than \$100 nor more than \$500, or by imprisonment in the county jail for a term not exceeding one year.

CONNECTICUT PURE FOOD LAWS.

The Pure Food Laws of this state are under the control of a Dairy Commissioner appointed by the Governor for two years and the State Experiment Station. The Commissioner has the power to appoint a deputy, who shall act as clerk. He is required to make annual reports to the Governor. This Dairy Commission now consists of the following members:

J. B. Noble Commissioner
R. O. Eaton Deputy Commissioner

The Dairy and Pure Food Laws under the control of the Dairy Commissioner and his dep-

uty and the experiment station are substantially as follows:

Sec. 2614. Any article resembling butter, not made wholly, salt and coloring matter excepted, from milk of cows shall be imitation butter within the meaning of this Act. The words "butter," "dairy" and "creamery" shall form neither the whole nor a part of the name of any imitation butter, or appear upon any article, or any box, tub or package containing imitation butter.

Sec. 2615. Prohibits the manufacture, sale

Highest Award
WHEREVER EXHIBITED.



THE BEST INFANT FOOD.

Philadelphia
Centennial
1876

The World's
Columbian
Exposition,
Chicago, Ill.,
1893.

California
Mid-Winter
International
Exposition,
San Francisco,
1894.

Cotton States and
International
Exposition,
Atlanta, Ga.,
1895.

National
Export
Exposition,
Philadelphia, Pa.,
1899.

Paris
Exposition,
1900.

Pan-American
Exposition,
Buffalo, N. Y.,
1901.

ABSOLUTELY PURE.



An Unsweetened Condensed Milk

A Complete Record

From 1857 to the Present
Time, 1902, 45th Year

The Products of

Borden's Condensed Milk Co.

have led in quality. The continual yearly increase of our output demonstrates this beyond question. Our goods have always taken the HIGHEST AWARD wherever exhibited, besides receiving the patronage of the most discriminating buyers.

Our testimonials are always up-to-date, and up-to-date buyers and users know that BORDEN'S EAGLE BRAND CONDENSED MILK and BORDEN'S PEERLESS BRAND EVAPORATED CREAM, an unsweetened condensed milk, are the very best in respect to richness, purity, quality and flavor.

Our Evaporated Cream does not have that scalded flavor so distinctly objectionable in others and it does come the nearest to rich, pure, fresh milk that you can get in a sealed can.

PREPARED BY

Borden's Condensed Milk Co.

New York, U. S. A.

ORIGINATORS OF CONDENSED MILK

Established in 1857



HON. J. B. NOBLE,
Commissioner.



ROBERT O. EATON,
Assistant Commissioner.

CONNECTICUT DAIRY COMMISSION.

or delivery of any article, product or compound made wholly or partly out of any fat, oil or oleaginous substance or compound thereof, not produced from unadulterated milk or cream from the same; *Provided*, This act shall not prohibit the manufacture or sale of oleomargarine in a separate and distinct form, and in such manner as will advise the consumer of its true character, free from colorations or any ingredient that causes it to look like butter. Prohibits the sale or delivery of imitation butter except as follows:

First.—The dealer shall maintain in plain sight over or next the main entrance of the premises where the selling is done a sign bearing in plain black Roman letters, not less than two inches wide and four inches in length, on a white ground, the words "Sold here," preceded by the name of the imitation article. If the selling is done in a wagon or other vehicle, such vehicle shall have conspicuously upon its outside on both sides of said wagon or vehicle the sign in plain black Roman letters not less than two inches wide and four inches long, on a white ground, containing the words "Delivered here," preceded by the name of the imitation article.

Second.—Imitation butter shall be kept in an enclosing package which shall bear on the outside of its body and also on its cover at all times, in plain sight, and in black Roman letters not less than one inch wide and two inches long, on a white or light-colored ground, the name of the imitation article.

Third.—The seller shall orally inform each buyer at each sale that the article he buys is not butter, and shall give the name of the imitation article.

Fourth.—Every person selling imitation butter, and every keeper of hotel, boarding house or restaurant who shall furnish guests with imitation butter or food containing it shall, within fifteen days after the passage of this act, or within fifteen days of commencing said business, and annually on the first day of May, or within fifteen days thereafter, register in the book kept by the Dairy Commissioner for that purpose the name of the town, street and number of street of the place of business of said person, keeper of hotel, boarding house or restaurant; and signs perscribed in sections 2615, 2616 and 2617 of the general statutes shall be provided by the Dairy Commissioner; and all signs required under provision of section 2615 shall be placed in position under the direction of the Dairy Commissioner or his deputy. All signs so furnished by the Dairy Commissioner shall be paid for by the party receiving them, same to be furnished them at actual cost.

Sec. 2616. Prohibits the sale of any article of food containing imitation butter, unless the

same bear a sign as hereinbefore first prescribed, and except that the word "used" may be substituted for the word "sold." If the selling is done from a wagon or other vehicle such vehicle shall conspicuously bear such a sign.

Sec. 2617. No keeper of a hotel, boarding house or restaurant shall furnish any guest with imitation butter or food containing it unless such keeper shall maintain in plain sight of all guests seated at tables where food is served such a sign or signs as hereinbefore prescribed, except that the word "used" shall be substituted for the word "sold."

Sec. 2618. Provides for the appointment of a Dairy Commissioner by the Governor for two years. Said Commissioner may appoint a deputy. He and his deputy shall have free access at all reasonable hours, for the purpose of examining into suspected violations of this chapter, to all places and premises, apartments of private families keeping no boarder excepted, where the said Commissioner or his deputy suspect imitation butter to be made, sold, kept or stored in transit, and may take samples for analysis upon tender of the market price of good butter for the same. It shall be the duty of the officials or agents of railway and express companies having knowledge or record of any consignment of imitation butter to inform the Commissioner or his deputy of such consignment, and the name of the assignee when requested by the Commissioner or his deputy. The Dairy Commissioner may have samples analyzed at the Connecticut Experiment Station, or by any state chemist, and a sworn certificate after analysis shall be *prima facie* evidence of the ingredients and constituents of the sample analyzed. Anybody refusing the Dairy Commissioner or his deputy access in a reasonable manner and at a reasonable time to premises for said purposes of examinations, or refusing to sell samples as hereinbefore provided for, shall incur the penalty hereinafter first provided for violations of this chapter. The Dairy Commissioner shall make annual reports to the Governor.

Sec. 2619. Any person violating the provisions of sections 2614, 2615 or 2616, and any person, except a boarding house keeper, violating section 2617, shall for the first offense be fined not more than \$100 or imprisoned not more than 60 days, or both, and for any subsequent offense said fine and imprisonment shall be doubled. Any boarding house keeper violating section 2617 shall for the first offense be fined \$25 or imprisoned not exceeding 30 days, or both; and for any subsequent offense such fine and imprisonment shall be doubled. Evidence of any violation of this chapter shall be *prima facie* evidence of wilful violation with knowledge.

AN ACT CONCERNING THE SALE OF TUB BUTTER.

Section 1. Prohibits the sale of any butter known as "tub butter" which is pressed or printed into what is known as bricks, pats, or balls, except under the following conditions: Every such brick, pat, or ball, shall have the words "tub butter" in one-half inch Roman letters stamped or pressed upon it, and if wrapped the wrapper shall be marked in like manner. The Dairy Commissioner is charged with the enforcement hereof, and shall have free access to all places and premises where he or his deputy suspect that a violation of this act has been committed.

Sec. 2. Provides a fine of not more than \$100 for any violation hereof.

VINEGAR.

Section 1. Prohibits the sale as cider vinegar any vinegar not produced wholly from the juice of apples. No person shall add to any vinegar or to any article sold as such any drug or hurtful or foreign substance, or coloring matter or acid. Provides a fine of \$50 for the first offense, and for a second or later offense a fine of \$100 and imprisonment for 30 days.

Sec. 2. Prevents the sale of any vinegar not having an acetic acidity equivalent to the presence therein of not less than four per cent by weight of absolute acetic acid; and in case of cider vinegar not less than 2 per cent by weight of cider vinegar solids upon full evaporation over boiling water. No manufacturer of vinegar shall sell the same without conspicuously branding, stenciling or painting upon the head of each barrel, keg or package containing same the name of the maker, his residence and place of manufacture, and the name and kind of vinegar contained therein, as: "cider vinegar" or "wood acid vinegar," "wine vinegar," "malt vinegar," etc.; *Provided*, This clause concerning marking shall not apply to retail sales at the place of manufacture, in quantities of less than five gallons, or in open packages. Provides a fine of \$10 for a first offense, and \$50 for a second or later offense for violating this act.

Sec. 3. Prohibits the sale or soliciting for sale or delivery within or without this state; first, any vinegar as cider vinegar not wholly produced from the juice of apples; second, any vinegar or article sold as vinegar to which has been added any drug or hurtful or foreign substance or coloring matter or acid; third, any vinegar not as specified in the first part of section 2 hereof; and, fourth, any vinegar not branded, etc., as required in the previous sections of this act. Provides a fine of \$10 for the first offense, and \$50 for a second or later offense. The delivery of any of the above mentioned articles shall be evidence that the order

upon which delivery was made was for such articles, and shall render the person soliciting or receiving such order liable to the penalty above prescribed.

Sec. 4. The Dairy Commissioner shall have free access to all places and premises where he suspects any of the provisions of this act are violated, and upon tender of the market price of good vinegar he may take samples for analysis by himself or the state chemist, or by the Experiment Station; a sworn or affirmed certificate by such analyst shall be *prima facie* evidence of the ingredients and constituents of the samples analyzed; and the Dairy Commissioner shall make complaint to the proper prosecuting officer that the offender may be prosecuted.

Sec. 5. Any person refusing samples to the Dairy Commissioner shall be fined not more than \$7 or imprisoned not more than 30 days, or both; evidence of any violation of this act shall be *prima facie* evidence of wilful violation with knowledge.

MOLASSES.

Sec. 2620. The Dairy Commissioner shall have free access to all places and premises where he suspects that molasses is adulterated or adulterated molasses is sold, and on tender of the market price of good molasses he may take samples thereof and have same analyzed by any state chemist or by the Experiment Station, and a sworn certificate of such analysis shall be *prima facie* evidence of the constituents of the sample analyzed, and the Commissioner shall make complaint to the proper prosecuting officer that the person violating this section may be prosecuted.

Sec. 2621. For refusing the Dairy Commissioner samples as herein provided any person shall be fined not more than \$7 or imprisoned not more than 30 days, or both.

Sec. 2622. Any person who shall adulterate molasses or sell the same, or receive any order therefor for delivery without or within this state, or any molasses adulterated with salts of tin, terra able, glucose, dextrose, starch sugar, corn sugar, or other preparation of, or from starch, shall be fined not more than \$500 or imprisoned not more than one year, or both. The delivery of any of the above mentioned preparations shall be conclusive evidence that the order upon which such delivery was made was for such articles, and render the person receiving same liable for the penalties above described.

FOOD PRODUCTS.

Section 1. Prohibits the sale of any article of food which is adulterated or misbranded within the meaning of this act.

Sec. 2. The term "food" shall include every article used for food or drink by man, horses

or cattle. The term "misbranded" shall include every article of food and every article entering into the composition thereof, the packages or labels of which shall bear any statement purporting to name any ingredient as not being contained in such article, which statement shall be untrue in any particular, or any statement purporting to name the constituents of which any article is made, not giving fully the names of all the constituents contained in such article in any measurable quantity.

Sec. 3. An article shall be deemed adulterated: (1) If any substance be mixed or packed with it, so as to reduce or injuriously affect its quality or strength; (2) if any inferior substance be substituted wholly or in part for the article; (3) if any valuable constituent or article has been wholly or in part abstracted; (4) if it be an imitation of or sold under the name of such article; (5) if it is colored, coated, polished or powdered whereby damage is concealed, or if it is made to appear better or of greater value than it is; (6) if it contains poisonous ingredients which may render such article injurious to health, or if it contains any antiseptic or preservative not evident and not known to the purchaser; (7) if it consists in whole or in part of a diseased, filthy, decomposed, or putrid substance, either animal or vegetable, unfit for food, whether manufactured or not, or if it is in any part the product of a diseased animal, or of any animal that has died otherwise than by slaughter; *Provided*, That an article of food product shall not be deemed adulterated or misbranded in the following cases: (a) In the case of mixtures or compounds which may be known as articles of food under their own distinctive names, and not included in definition four hereof; (b) in the case of articles, labeled, branded or tagged so as to show they are mixtures, compounds or combinations or blends; (c) when any matter or ingredient is added to a food required for the protection or preparation thereof as an article of commerce in a state fit for carriage or consumption, and not fraudulently to increase the bulk, weight or measure of the food or to conceal the inferior quality thereof; (d) when a food is unavoidably mixed with some extraneous matter in process of preparation or collection.

AN ACT AMENDING AN ACT REGULATING THE MANUFACTURE AND SALE OF FOOD PRODUCTS.

Section 1. Sections 4 and 5 of chapter 235 of the Public Acts of 1895, are hereby amended to read as follows:

Sec. 4. The Connecticut Agricultural Experiment Station shall make analyses of food products on sale in Connecticut, or kept in

Connecticut for export, to be sold without the state, suspected of being adulterated. Samples of food products for analysis shall be taken by the duly authorized agents of the station, or by the Dairy Commissioner or his deputy, at such times and places and to such an extent as in the judgment of the officers of said experiment station and of the Dairy Commissioner shall seem expedient. The Dairy Commissioner or his deputy shall have full access at all reasonable hours to any place wherein it is suspected that there is kept for sale or for export, as above specified, any article of food adulterated with any deleterious or foreign ingredient or ingredients, and said Dairy Commissioner or his deputy, upon tendering the market price of such article, may take from any person, firm or corporation, samples of the same. The said experiment station may adopt or fix standards of purity, quality, or strength, when such standards are not specified by law.

Sec. 5. Whenever said experiment station shall find by its analysis that adulterated food products have been on sale in the state, or kept in the state for export, for sale without the state, it shall forthwith transmit the facts so found to the Dairy Commissioner, who shall make complaint to the proper prosecuting officer, to the end that violators of the law relating to the adulteration of food products shall be prosecuted.

Sec. 2. This act shall take effect from its passage.

Approved March 23, 1899.

Sec. 6. Said station shall make an annual report to the Governor upon food products, in addition to reports required by law, not exceeding 150 pages.

Sec. 7. The sum of \$2,500 is hereby annually appropriated to the Connecticut Agricultural Experiment Station, payable in quarterly installments to the treasurer of the board of control upon order of the comptroller.

Sec. 8. Prohibits the sale of adulterated food products, whether the same be for man or horse or cattle, without informing the purchaser of the adulteration; and provides a fine of not more than \$500, or imprisonment not more than one year.

Sec. 9. Declares non-actionable contracts made in violation of this act.

MILK.

Sec. 2658. Whoever shall sell, supply or bring to be manufactured to any butter or cheese manufactory any milk diluted with water or adulterated by the addition of any foreign substance, or from which any cream or milk commonly known as "strippings" has been taken: or whoever shall knowingly bring or supply to any butter or cheese manufactory milk

that is tainted or partly sour, shall forfeit not less than \$25 nor more than \$100, with costs of suit, for the benefit of the person upon whom such fraud shall have been committed.

Sec. 2659. The usual test for quality and the certificate of analysis of the director of the Connecticut Agricultural Experiment Station shall be deemed *prima facie* proof of adulteration.

Sec. 2660. Prohibits the sale of any milk from which the cream has been removed without distinctly and durably fixing a label, tag or mark of metal in a conspicuous place upon the outside and not more than 6 inches from the top of every can, vessel or package containing such milk, and such label or tag shall have the words "skimmed milk" stamped, printed or indented therein in letters not less than 1 inch in height, and such milk shall

only be sold out of the can, vessel or package so marked.

Sec. 2661. Prohibits the sale of any impure or adulterated milk.

Sec. 2662. Provides a fine for violations of the two preceding sections of not more than \$7, or imprisonment not more than 30 days, or both.

Sec. 2663. A printed notice of this and the five preceding sections shall be conspicuously posted in all public places, creameries or factories where milk is received or sold.

Sec. 2664. Any person who shall sell or expose for sale milk or any product from any cow which shall have been adjudged by the Commissioner upon diseases of domestic animals affected with tuberculosis, or other blood disease, shall be fined not less than \$7, or imprisoned not more than 30 days, or both.

DAIRY AND PURE FOOD LAWS OF THE STATE OF DELAWARE.

This State has no Food or Dairy Commission, nor any department specifically charged with the enforcement of the laws to prevent the adulteration of articles of food, drugs, drink, etc., with the exception of the inspectors of bread-stuff, appointed by the Governor, as hereinafter set forth. A digest of such laws on this subject as are in force in the State is as follows:

CHAPTER 161, VOL. 22.—LAWS OF DELAWARE AMENDS CHAPTER 209, VOL. 20, TO READ IN SUBSTANCE AS FOLLOWS, STRIKING OUT SEC. 4 OF SAID LAST CHAPTER AND VOLUME:

Sec. 1. No person by himself, agent or servant shall render or manufacture for sale or offer or expose for sale any article, product or compound made wholly or partly of any fat, oil or oleaginous substance or compound thereof, not produced from pure adulterated milk or cream of the same; provided, nothing in this act shall be construed to prohibit the manufacture or sale of oleomargarine in a separate and distinct form and in such manner as will advise the consumer of its real character, free from coloration or ingredient that causes it to look like yellow butter. But when any person exposes for sale in this state oleomargarine, butterine or any substance made in imitation or semblance of pure butter, such person shall have conspicuously upon the surface of the exposed contents of every open can, package or parcel thereof a placard with the words "Oleomargarine" or "Butterine," or

whatever the name of the contents of the package may be, printed thereon in plain uncondensed Gothic letters not less than one inch long. If any person shall violate the provisions of this section he shall be deemed guilty of a misdemeanor, punishable in the Court of General Sessions of the Peace and Jail Delivery, and fined not less than \$50 nor more than \$250 for each offense.

CHAPTER 209—VOL. 20.

Sec. 2. Provides that if any person make complaint duly verified in writing to any justice of the peace, that he has probable cause to suspect and believe that any other person by himself or agent has rendered or manufactured, sold, offered or exposed for sale, or has in possession with intent to sell any article, product or compound, made as aforesaid in imitation of yellow butter, produced as aforesaid, and shall describe such articles, produce or compound in said complaint and designate the place where he suspects such article, product or compound is, and the name of the person suspected, as aforesaid: such justice of the peace may within his jurisdiction issue his warrant to search such place; such warrant may be directed to any officer or other person by name for service, shall recite the essential facts alleged, and the officer or person designated for such service shall proceed as follows: He may enter the place designated and if he finds therein what he believes to be any product or compound made in imitation of yellow butter, produced as aforesaid, he shall

take therefrom a sample for the purpose of analyzing or testing the same, as hereinafter provided, and to obtain such sample, such officer or person may open any can, vessel or package believed to contain such imitated article and take therefrom the sample for the purpose aforesaid. Such officer or person taking said sample as aforesaid, shall then and there divide said sample into two equal parts, wrap said parts in separate parts, seal the same and offer one of said parts to the person in whose custody said article was found with a written notice of the time, place and date, when and where said sample was taken and that it was taken to be analyzed or tested. The other part of said sample shall together with a copy of said written notice be delivered by said officer or person to the state chemist, who shall cause same to be analyzed or tested, and record and preserve the result of said analysis or test as evidence.

Said officer or person shall within one week after said delivery to said chemist return said warrant with his proceedings thereunder and actual costs and expenses endorsed thereon, to said justice of the peace; said cost to be in amount as near as may be with costs to which an officer serving a search warrant would thereby be entitled to.

Said sample being delivered to said chemist, he shall analyze or test same as early as convenient and forward to the Attorney-General a certificate of the result thereof duly verified, and such certificate shall be admitted as evidence before the grand or petit jury in any prosecution under this act.

Sec. 3. Provides a fine for violation of Sec. 1, not less than \$50 nor more than \$250, or imprisonment not exceeding one year, and cost of prosecution to which shall be attached cost of said Justice of the Peace and actual expenses endorsed on said warrant and charge of said chemist, whose charge shall not in any one case exceed \$20. In case of failure to convict, said cost shall be paid by the county where the prosecution is conducted; provided, the amount of money paid by any county shall not exceed \$200 in any one year.

Sec. 5. Repeals all acts inconsistent herewith.

CHAPTER 67, REVISED CODE—1852, AS AMENDED IN 1893.

SALE AND INSPECTION OF BREAD STUFFS.

Sec. 1. Provides that the weight of wheat or Indian Corn shall be 60 pounds of wheat to the bushel and 56 pounds of corn to the bushel.

Sec. 2. Provides that all casks for the exportation of breadstuffs shall be made of seasoned materials and shall be of the following

sizes: No. 1, 27 inches long, 16½ inches in diameter at the head and contain 196 pounds; No. 2, 22¾ inches long, 12½ inches in diameter and contain 98 pounds. But if any person export from New Castle county to any foreign port beyond the United States, or sell for exportation any wheat flour, rye flour or middlings of wheat packed in casks made of unseasoned materials or of other dimensions or of less weight per cask he shall forfeit to the flour inspector 40 cents per cask and have remedy over against the miller or cooper who furnished same.

Indian cornmeal shall be packed for exportation from New Castle, Middleford, Seaford or Sussex counties to any foreign port or port where no exportation laws exist, in strong, tight hogsheads of well-seasoned white or red oak, well secured; the staves 41 inches long, 27 inches in diameter at head, containing 800 pounds net; or in casks 26 inches long, 16½ inches in diameter, containing 196 pounds, or in one-half barrels 22 inches long, 12½ inches in diameter, containing 98 pounds, under the penalty herein provided for flour, except that wheat flour or kiln-dried Indian cornmeal may be exported in sacks or packages if inspected and passed, and same fees paid for inspection as in proportion for barrels.

Sec. 3. Provides that each miller shall brand or mark his own name, or other name by which it may be distinguished as his, on every cask of bread stuff manufactured by him (for exportation), marking the kind, quality, weight and tare under penalty of 20 cents for each cask or hogshead not branded, to any person suing for same. Any person marking a false weight or wrong tare to the disadvantage of a purchaser shall forfeit \$1.00 to the inspector for each cask, etc., falsely branded.

Sec. 4. All wheat flour manufactured for sale or exportation shall be merchantable and of due fineness.

Sec. 5. The Governor shall appoint a Flour Inspector to reside in the City of Wilmington and another to reside in Middleford or Seaford, who may appoint necessary deputies, and hold office four years.

Sec. 6. No person shall export from New Castle county to any foreign port or United States port having no inspection laws any superfine or common flour or middlings, rye flour or Indian corn meal not duly inspected.

Sec. 7. The inspector shall try packing and quality by boring or piercing or unpacking, if the quality be found insufficient charges of packing or repacking shall be paid by the miller with the penalty aforesaid; otherwise the Inspector shall pay such charges, or the purchaser, if done at his request.

Superfine flour shall have stamped on the plug "S. D.," if not superfine or merchantable common flour the letters "C. D.," if below that quality said flour shall be deemed as unfit for exportation and marked with a circle and cross in red chalk. "Middlings," "Fine Rye Flour," "Rye Flour" and "Kiln Dried Corn Meal" shall be so marked or condemned according to the quality thereof.

Fee for inspecting shall be one cent for each cask or barrel and 3 cents for each hogshead, to be paid by the person exporting same, whether approved or condemned.

Sec. 8. Provides that in case of dispute of inspection that any judge shall appoint three persons to examine such flour, to state and report to him its quality and condition. Their report shall be final. If the report sustain the inspector the other party shall pay the arbitrators 50 cents each; if otherwise, inspector shall pay them and pass the breadstuff as merchantable.

Sec. 9. Inspector or his deputies shall, when requested, go on board any vessel within 10 miles of Wilmington, New Castle, Port Penn, Middleford or Seaford to inspect more than 50 casks, under penalty of \$30.00 to any one who will sue for same.

Prohibits such inspector or deputy from bartering in flour other than superfine, under penalty of \$100.00.

Sec. 10. If any person shall falsely brand any breadstuff, after inspection, to evade the inspection, or knowingly or fraudulently ship same with false brand, he shall forfeit \$100. Every cask, etc., so falsely branded shall be forfeited to the state and may be seized by the inspector or deputy, one-half for his own use, and if any person shall brand or make the mark of the Superfine, Common or Middlings on any cask of flour after it shall have been taken from the mills, before inspected and allowed as such by the inspector, such person shall forfeit 20 cents to any person who will sue for the same.

Sec. 11. Any flour branded "Superfine" or "Common" containing corn meal or other adulteration, shall be forfeited to the state and seized as aforesaid, one-half to the inspector's use.

In case of any seizure he shall sell the same after 10 days' notice in one or more newspapers of the state at public vendue and pay over one-half the proceedings to the state treasurer, within 20 days thereafter.

(All Superfine or Common Flour, Middlings, Rye Flour and Indian Corn Meal offered for sale and sold for commission in the City of Wilmington shall be first duly inspected and any person violating this act shall pay to the Flour Inspector of said city for the use of the state five cents for each barrel and 10 cents for

each hogshead of corn meal, middlings or rye flour so sold without inspection, to be recovered as like amounts are recoverable in this state.)

ADULTERATED CANDY.

Chapter 267, Vol. 21.

Sec. 1. No person or corporation shall by himself or itself or agent or as the agent of any person or corporation knowingly manufacture for sale, sell or offer for sale any candy adulterated by the admixture of Terra Alba, Barytes Talc or other mineral substance or poisonous colors or flavors or ingredients deleterious to health.

Sec. 2. Provides a fine for violation of Sec. 1 of not less than \$50.00 or more than \$100.00.

The candy so adulterated shall be forfeited and destroyed under the direction of the Attorney General.

PAGE 440, VOL. 21, LAWS OF 1898-1899.

CHAPTER 270.

MARKING WEIGHTS ON PACKAGES, ETC.

Sec. 1. Provides that on and after the first day of April, 1899, each and every bag, package, parcel or box of flour or grain meal of any kind exposed or offered for sale in this state shall have marked or printed prominently, distinctly and conspicuously thereon the correct weight in avoirdupois of the flour or other grain meal contained in such bag, etc.

Sec. 2. Provides that on and after the day aforesaid it shall be unlawful for any person, firm or corporation to offer or expose for sale any bag, package, parcel or box of flour, or any kind of grain meal, unless same has printed thereon as aforesaid the correct weight. Provides a violation hereof a misdemeanor, punishable by a fine of \$25 and costs.

Sec. 3. Provides that on and after the day aforesaid if any person, firm or corporation shall print or mark the weight of flour, or other grain meal, on any such bag, package, parcel or box, as aforesaid, falsely or in any way to deceive the public, they shall upon conviction pay a fine of \$25.

VOL. 22, PAGE 160, LAWS OF 1901.

Chapter 101.

MARKING FRUIT.

Sec. 1. Adds a new section, known as section 22, to chapter 216, vol. 21, which reads in substance as follows: Provides that the Board of Agriculture shall have power to compel all fruit growers to stamp or mark the baskets, boxes, packages, crates, parcels or other receptacles used by them for shipment with such person's name or initials, or some distinguishing device or mark which may be readily and easily seen on the same; and said Board may adopt rules to carry this into effect.

Provides a penalty for a violation of this section of \$5 and makes it a misdemeanor.

The Southern Cotton Oil Co.

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Wesson Cooking Oil

is a pure vegetable oil for cooking, frying and shortening. It is cheaper than lard and better than butter. It makes food healthful, digestible and wholesome. There is no odor while cooking, no suggestion of fat or grease in the taste of the food so cooked. Put up in sealed cans for family use.

Wesson Salad Oil

gives to salads a rich, bland flavor not excelled by the best imported olive oil—and it costs but half as much. It is a vegetable oil, highly refined and absolutely pure. It make delicious salads, economical enough for every household. Sold in bottles or sealed cans. :: :: :: ::

SNOWDRIFT LARD COMPOUND

is a pure, sweet, odorless and wholesome lard compound superior in every respect to hog lard or other lard compounds. Its beautiful snow-white appearance is evidence of its purity. Used as ordinary lard, but in lesser quantities. Its original cost is less than the inferior grade of hog lard, and pound for pound it goes further and gives better and more healthful results than the best lard or lard compound manufactured. :: :: :: :: :: :: :: :: ::

AGENCIES IN PRINCIPAL CITIES IN THE UNITED STATES.

PURE FOOD LAWS OF FLORIDA.

The State of Florida has no Food or Dairy Commission nor any department with direct supervisory powers over the administration of the laws on this subject.

A digest of such laws as are in force on the subject in this state is as follows:

TITLE II. CHAPTER 8. UNWHOLESOME FOOD AND ADULTER- TION OF LIQUOR.

Sec. 2659. Whoever knowingly sells any kind of diseased, corrupted or unwholesome provisions, whether for meat or drink, without making same known to the buyer, shall be punished by imprisonment not exceeding 6 months or fined not exceeding \$200.

Sec. 2660. Provides that whoever fraudulently adulterates for the purpose of sale any bread or other substance for food with any substance injurious to health shall be punished by imprisonment not exceeding one year and fined not exceeding \$300.00. The article so adulterated shall be forfeited and destroyed under the direction of the court.

Sec. 2661. Whoever kills or causes to be killed for the purpose of sale any calf less than four weeks old, or sells or possesses with intent to sell the meat of any calf killed when less than four weeks old, shall be punished by a fine not exceeding \$200.

Sec. 2662. Whoever knowingly and willfully causes to be sold as butter any spurious preparation purporting to be butter, known as oleomargarine, or by other name, shall be punished by imprisonment not exceeding thirty days or by fine not exceeding \$100.

Sec. 2663. Any keeper of any hotel or boarding house who knowingly supplies oleomargarine or other spurious substance purporting to be butter to his guests without notice thereof, shall be punished as above.

Sec. 2664. Whoever adulterates for the purpose of sale any liquor used or intended for drink with cocculus, indicus, vitriol, grains of paradise, opium, alum, capsicum, copperas, laurel water, logwood, Brazil wood, cochineal, sugar of lead or other substance, which is poisonous and injurious to health; and whoever knowingly sells any liquor so adulterated shall

be punished by imprisonment in the state prison not exceeding three years, and the liquor so adulterated shall be forfeited.

ADULTERATED CANDY.

Chapter 4546, Laws 1897.

Sec. 1. No person shall, by himself, servant or agent, or as the agent of another manufacture for sale, knowingly sell or offer to sell any candy adulterated by the admixture of terra alba, barytes, talc or any other mineral substance or by poisonous colors or flavors or other ingredients deleterious to health.

Sec. 2. Whoever violates any of the provisions of this act shall be punished by a fine not exceeding \$100 nor less than \$50, and the candy so adulterated shall be forfeited and destroyed under direction of the court.

Sec. 3. This act shall take effect upon its passage and approval by the governor.

DRUGS.

Sec. 2668. Whoever fraudulently adulterates for the purpose of sale any drug or medicine, or sells any fraudulently adulterated drug or medicine knowing the same to be adulterated, shall be punished by imprisonment not exceeding one year or fined not exceeding \$400.00. Such drugs or medicines shall be forfeited and destroyed under the direction of the court. If the offender be a pharmacist his name shall be stricken from the register.

FALSE PACKING.

Sec. 2710. Whoever fraudulently puts into any barrel, bag, bale of cotton, cask or other package of sugar, rice or pork, or any article of provisions, any dirt, rubbish or other thing shall be fined not exceeding \$1,000.

LAWS OF 1901, PAGE 127-128.

Chapter 4976.

Requires all merchants, provision dealers and storekeepers, and all other persons selling or offering to sell flour, meal, oats, grits, wheat, rye, peanuts, potatoes or beans already put up and packed in sacks, bags or barrels in original packages, to mark, stamp or stencil on the sacks, barrels or bags the exact weight thereof in pounds avoirdupois. Makes a violation of this act a misdemeanor punishable by a fine not exceeding \$200 or imprisonment in the county jail not exceeding three months or both.



BEST ON EARTH
STRICTLY PURE

CONTAINS OVER 52% OF CARBONIC ACID GAS
AND OVER 99% PURE BI-CARBONATE.
THE VALUE OF SODA OR SALERATUS
DEPENDS ENTIRELY UPON THE AMOUNT
OF CARBONIC ACID GAS IT CONTAINS,
AS THAT CONSTITUTES ITS SOLE
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**Supplies Perfect Nourishment
and Makes and Keeps the Baby
Strong-Limbed, Happy and Well**

THIS picture of Harold Van Deusen was taken at 2 years and 9 months after being fed on **Eskay's Food** from infancy. His mother writes: Harold now weighs 40 lbs., and the picture shows how healthy, happy and well he is. He is a perfect specimen of babyhood, has never been sick a day since we began feeding him on **Eskay's Food**, and we attribute his present fine condition to its use.

Sample, sufficient for ten meals, free. Address

SMITH, KLINE & FRENCH CO.

PHILADELPHIA, PA.

It Nourishes from Infancy to Old Age.

BECK-Phila

PURE FOOD LAWS OF GEORGIA.

The State of Georgia has no Dairy or Food Commission, nor any board with supervisory powers over food products, except in a general way through the Agricultural Department. The Agricultural Department consists of the following members:

O. B. Stevens, Commissioner.

R. F. Wright, Assistant Commissioner.

A digest of the laws on this subject is as follows:

NO. 261.

An act to prevent the practice of fraud upon the public in the sale and use of the product known as oleomargarine, by prescribing the manner in which it may be sold, and the conditions upon which hotels, inns, restaurants and houses of public entertainment can only furnish it to their guests. Providing a penalty for the violation of the same.

Sec. 1. Provides it is unlawful for a manufacturer, merchant, shopkeeper or other person to sell or expose for sale the product known as oleomargarine without his branding, marking or labeling the same in a legible manner and conspicuous place with the word "Oleomargarine," so as to be easily observed by persons offering to purchase same, and without first informing such person that the article is oleomargarine.

Sec. 2. Provides it is unlawful for any proprietor, keeper or manager of any hotel, inn, restaurant or house of public entertainment to furnish or permit to be offered, furnish or set before his guests the article known as oleomargarine without first giving notice by posting in a conspicuous place in the dining-room and all other rooms where guests are accustomed to take meals, also in private rooms of guests, notices that can be easily observed and read by the guests in the following words: "This house uses oleomargarine," and by printing such notices on their bills of fare, when such bills are used by any such house.

Sec. 3. Any person knowingly violating this act shall be guilty of a misdemeanor and punished as prescribed in section 4310 of the code.

Sec. 4. Repeals all laws conflicting herewith.

ADULTERATED MILK, BUTTER, CHEESE, UNWHOLESOME PROVISIONS, ETC.

ARTICLE 16.

Par. 456. Provides that no person, corporation or agent thereof shall sell, expose for sale or deliver for domestic use any unclean, impure, unwholesome, adulterated or skimmed

milk, or milk from which has been held back what is known as "strippings," or milk taken from an animal having disease, ulcers or abscesses, or from an animal within fifteen days before or five days after parturition. Provided, this section shall not apply to the sale of adulterated milk or skimmed milk when sold as such. Milk proven by any reliable test or analysis to contain less than $3\frac{1}{2}$ per cent of butter fat shall be regarded as skimmed or partially skimmed milk.

IMITATION BUTTER AND CHEESE.

Par. 457. Every article, substance or compound other than that produced from pure, whole milk or cream from the same, made in the semblance of butter or cheese, designed as a substitute for butter or cheese made from pure milk or cream from the same, or as imitation butter or imitation cheese, as the case may be, provided, the use of salt rennet and harmless coloring matter for coloring the product of pure milk or cream shall not be construed to render such product an imitation.

Par. 458. Prohibits any person by himself or agent from producing, manufacturing and selling, keeping or offering for sale any imitation butter or cheese made in violation of this article, whether such imitation be made in this state or elsewhere; but nothing herein shall be construed prohibiting the manufacture and sale of imitation cheese or butter under regulations herein provided if manufactured and sold as herein prohibited.

Par. 459. No person by himself or otherwise shall sell or offer for sale any imitation butter or cheese under the pretense that it is genuine butter or imitation cheese, or sell any such imitation without notifying the purchaser distinctly at the time of sale that it is such an imitation and delivering to the purchaser such a statement printed in black letters not smaller than four line pica in the English language, that the article is an imitation and give the name and address of the producer and contain no other words.

Par. 160. No keeper or proprietor of a bakery, hotel, boarding-house, saloon, restaurant, lunch counter or other place of public entertainment or any employe or person having charge thereof or any person furnishing board to others than his own family, shall keep, use or serve therein either as food for the guests or otherwise, boarders, customers or employes, or for cooking purposes, any imitation butter or imitation cheese, unless such keeper, proprietor or other person keep constantly posted

in a conspicuous place in the room where such imitation shall be served or sold, so that same may be easily seen and read by any person in such place, a white card not less than 10 by 14 inches in size, on which shall be printed in English, in plain black, Roman letters, the words "Imitation butter used here" or "Imitation cheese used here," as the case may be, and said card shall contain no other words.

Par. 461. No person shall coat, powder or color with annatto or any coloring matter whatever, any substitute for butter or cheese whereby such substance shall be caused to resemble butter or cheese, the product of pure milk or cream.

Par. 462. No person shall combine any fat or vegetable oil or other substance with butter or cheese, or combine therewith animal fat or vegetable oil any annatto or other coloring matter for the purpose of imparting thereto a yellow color or any shade of yellow, so that such substance shall resemble genuine butter or cheese, nor introduce any such coloring matter into any article of which said substitute may be composed. Provided, nothing in this act shall

prohibit the use of salt, rennet or harmless coloring matter for coloring the product of pure milk or cream from the same.

Par. 463. Every person who willfully manufactures any substance as a substitute for butter or cheese shall brand, stamp or stencil upon the top and side of each box, tub or other vessel in which said substitute shall be kept or removed from the place where produced, in a clear durable manner in the English language the words "Substitute for butter," or "Substitute for cheese," as the case may be, in printed letters, in plain, Roman type, each one to be not less than one inch in width and one-half inch in width.

464. No person shall possess or control, except for consumption by himself or family, any substance designed to be used as a substitute for butter or cheese, unless the vessel containing it shall be marked as required in the preceding section.

PENALTY.

A violation of any of the foregoing provisions of this article shall be a misdemeanor.

PURE FOOD LAWS OF IDAHO.

The State of Idaho has no Food or Dairy Commission, and no department is specifically charged with the enforcement of the laws providing against the adulteration of food products, but they are left to be enforced in like manner as other laws providing penalties for misdemeanors.

A digest of these laws is as follows:

Sec. 6917. Every person who sells or keeps for sale, or offers for sale or disposes of oleomargarine, butterine, mixture, imitation butter or adulterated butter under the name or pretense that the same is butter, or adulterates butter for sale without branding the same or the package in which it is contained on the outside thereof with the word oleomargarine, butterine or adulterated butter is guilty of a misdemeanor.

Sec. 6918. Every person who adulterates or sells any article of food, drink, drug, medicine, spirituous or malt liquor or wine, or any article useful in compounding them, with intent to offer or cause or permit same to be offered for sale as unadulterated or undiluted, is guilty of a misdemeanor.

Sec. 6919. Every person who knowingly sells, keeps or offers for sale or disposes of any article of food, drink, drug or medicine know-

ing the same has become tainted, decayed, spoiled, unwholesome or unfit to be eaten or drunk, with intent to permit the same to be eaten or drunk, is guilty of a misdemeanor.

Sec. 6920. Every person who slaughters, offers or exposes for sale to the public any animal that has been confined for 48 hours or more without proper food or 24 hours without water is guilty of a misdemeanor.

ADULTERATED CANDY.

Sec. 1, Page 398-399, Laws of 1899. No person shall by himself or agent, or as the agent of another person, manufacture for sale or knowingly sell or offer to sell any candy adulterated by the admixture of terra alba, barytes, talc or other mineral substance, or by other poisonous colors or flavors or other ingredients deleterious to health.

Sec. 2. Whoever violates any of the provisions of this act shall be guilty of a misdemeanor and fined not exceeding \$100 nor less than \$25, or imprisonment not exceeding 100 days nor less than 30 days, or both, and pay in addition all necessary expenses and costs incurred in inspection and analysis of such adulterated candy, and the same shall be forfeited and destroyed under the direction of the court.

Sec. 3. It is hereby made the duty of the

county and prosecuting attorneys of the State to appear for the state and prosecute all complaints under this act in their respective counties.

VINEGAR.

Sec. 1, Page 368, Laws of 1899. No person shall manufacture for sale or possess with intent to sell any vinegar found upon proper test to contain any preparation of lead, copper, sulphuric acid, or other ingredient deleterious to health.

Sec. 2. Provides that no person by himself or otherwise shall sell, exchange, expose or offer for sale any adulterated vinegar or vinegar not in compliance with the provisions of this act. Nor shall he label, brand or sell as cider vinegar or as apple vinegar any vinegar not the legitimate product of pure apple juice, or not made exclusively from apple cider.

Sec. 3. All manufacturers of vinegar in the State of Idaho and persons who reduce or re-barrel vinegar in lots of one barrel or more are required to have stenciled or marked in black letters and figures at least one inch in length on the head of each barrel or package of vinegar bought and sold by them the kind (as cider, malt, grain or wine, etc.) and the standard strength of the vinegar contained in the package or barrel, which shall be denoted by the per cent of acetic acid. All vinegar except cider vinegar shall have an acidity of not less than $4\frac{1}{2}$ per cent by weight of absolute acetic acid, and in case of cider vinegar shall contain not less than 2 per cent by weight of cider vinegar solids, upon full evaporation over boiling water.

Sec. 4. No person or persons known as retailers who sell vinegar by the gallon shall reduce by water or otherwise the strength of vinegar purchased and sold by them, unless he shall mark in plain figures on said package or barrel the strength of the vinegar still contained in said package or barrel.

Sec. 5. Whoever violates any of the provisions of this act shall be deemed guilty of a misdemeanor, and all vinegar found in their possession not in accordance with this act shall be forfeited.

This act shall not be construed as meaning that the possession of vinegar in barrels or packages shall be *prima facie* evidence of having the same for sale.

Sec. 6. This act shall take effect upon approval of the governor. Approved March 9, 1899.

OLEOMARGARINE.

"An act regulating the sale of imitation butter, and prescribing rules for making the same, and fixing penalties for violating this act."

Sec. 1, Page 392, Laws of 1899. Provides that every article, substitute or compound other

than that produced from pure milk or cream therefrom, made in semblance of butter and to be used as a substitute for butter made from pure milk or cream, is hereby declared to be imitation butter.

Provided, that the use of salt and harmless coloring matter for coloring the product of pure milk or cream shall not be construed to render such product an imitation.

Sec. 2. No person shall coat, powder or color with annatto or any coloring matter any substance designed as a substitute for butter, whereby such substitute or product shall be made to resemble butter the product of the dairy.

No person shall combine therewith any animal fat or vegetable oil or other substance for the purpose of imparting thereto a yellow color or any shade of yellow, so that such substitute shall resemble yellow or any shade of genuine yellow butter, nor introduce any such coloring matter or substance into any of the articles of which the same is composed.

Provided, nothing in this act shall be construed to prohibit the use of salt, rennet or harmless coloring matter for coloring the product of pure milk or cream from the same.

No person shall by himself or otherwise produce or manufacture any substance in imitation or semblance of natural butter, nor sell, keep or offer for sale any imitation butter made or manufactured in violation of this section, whether such imitation butter be produced in this state or elsewhere.

This section shall not be construed to prohibit the manufacture and sale under the regulations hereinafter provided of substances designed to be used as a substitute for butter, and not manufactured or colored as herein prohibited.

Sec. 3. Every person who shall lawfully manufacture any substance as a substitute for butter shall mark by branding, stamping or stenciling upon the top and side of each tub, firkin, box or package in which said article shall be kept, and in which it shall be removed from the place where produced, in a clear and durable manner in the English language the word "Oleomargarine," or the word "Butterine," or the words "Substitute for butter," or "Imitation butter," in printed letters in plain Roman type, each of which shall not be less than three-quarters of an inch in length.

Sec. 4. It shall be unlawful to sell or offer for sale any imitation butter without informing the purchaser thereof at the time of sale that the substance sold or offered for sale is imitation butter.

Sec. 5. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor. Approved March 6, 1899.

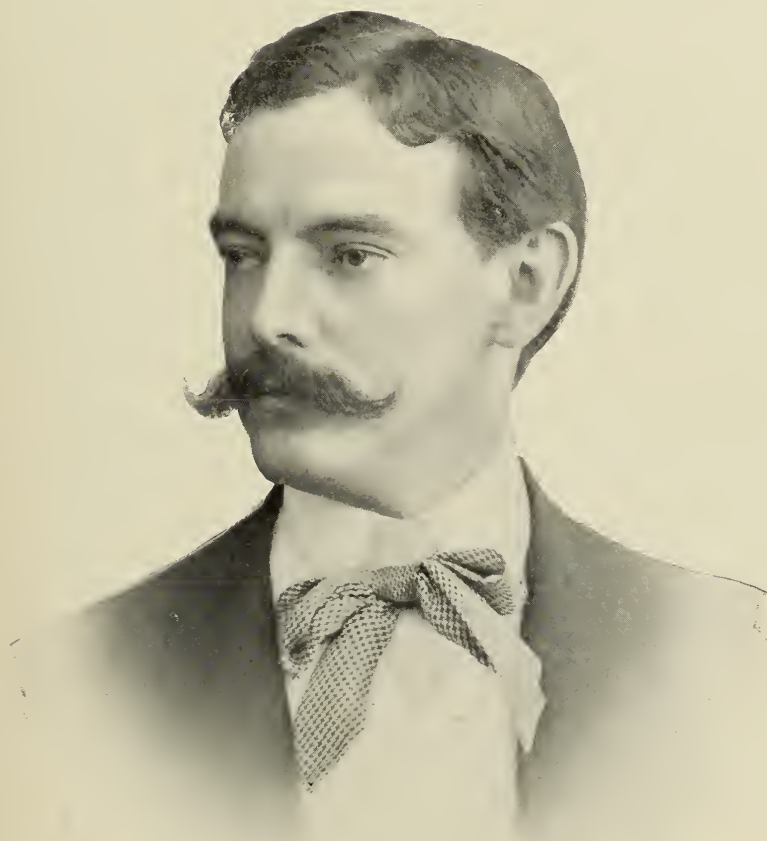


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Veal Cutlets, Pork Cutlets, Veal Loaf, Chicken Fricassee, Chicken a la Marengo, Sliced Chicken and Tongue, Tenderloin of Beef, Macedoine Stew, Products of our new Scientific Kitchen, depicting the highest accomplishment of culinary art.

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Governor of Illinois.

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VINEGARS

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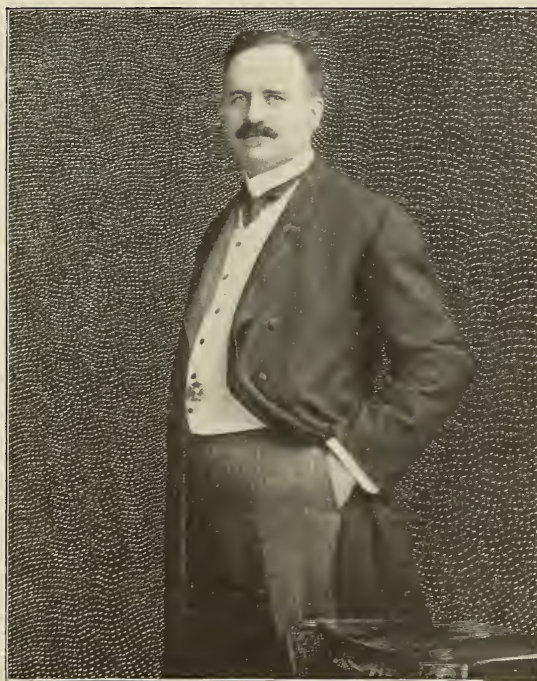
Freeport, Illinois



A. H. JONES
Illinois State Food Commissioner



DR. E. N. EATON
Illinois State Analyst



R. M. PATTERSON
Assistant Illinois State Food Commissioner

ILLINOIS STATE FOOD COMMISSION



LOUDON'S

Tomato Catsup,
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 (FOR OYSTERS)
 Tomato Soup.

✿ FAULTLESS FLAVOR AND QUALITY ✿

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TRADE-MARK.

French Soups, Baked Beans
 Catsup, Vienna Sausage
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The National Pure Food Co.

ABSOLUTELY PURE AND THE FINEST
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NATIONAL PURE FOOD CO., CINCINNATI.

PURE FOOD LAWS OF ILLINOIS.

In the State of Illinois the State Food Commissioner's office is charged with the enforcement of the laws relating to the adulteration of food and drink. The State Food Commissioner is appointed by the Governor. His term of office is for two years, at a salary of \$2,500 per annum. The Food Commissioner may appoint, with the advice and consent of the Governor, two Assistant Commissioners, one of whom shall be an expert in dairy products, and the other of whom shall be a practical analytical chemist, who shall be known as the State Analyst. The General Assembly of 1901 has also appropriated the sum of \$1,000 per annum to the State Food Commissioners, for the salary of an Assistant State Analyst. The State Food Commissioner may also appoint not to exceed six inspectors to assist him in the work of his office. The salary of such inspectors is fixed at \$3.00 per day and necessary expenses. The Illinois Food Commission is composed of the following members:

Alfred H. Jones, Commissioner.

R. M. Patterson, Assistant Commissioner.

E. N. Eaton, State Analyst.

Miss Lucy Doggett, Assistant State Analyst.

Miss Eleanor Petry, Stenographer.

Inspectors—Frank Hoey, J. C. Ware, Frank L. Hubbard, Robert Burke, Carl E. Tragardh, Williard C. Campbell.

A digest of the laws upon the subject of the adulteration of food and drink, as taken from the annual report of the State Food Commissioner for 1899-1900, is as follows:

Sec. 1. That the Governor shall appoint a State Food Commissioner for the term of two years at the salary above noted.

Sec. 2. The Commissioner may appoint two Assistant Commissioners at a salary of not exceeding \$1,800 each per annum and necessary expenses. One of such assistants shall be an analytical chemist, and the other an expert in dairy products.

Sec. 3. The Commissioner may appoint not to exceed six inspectors. They shall have the same right of access to places to be inspected as the Commissioner. Their compensation is fixed at \$3.00 per day and necessary expenses.

Sec. 4. The Commissioner shall enforce

laws that now exist or may be enacted regarding the production, manufacture and sale of dairy products, and the adulteration of articles of food, and prosecute for violations of these laws.

Sec. 5. The Commissioner shall inquire into the quality of dairy and food products and the constituents of food manufactured or sold within this state, and he may procure samples of the same and direct the state analyst to make analysis thereof. If the same be adulterated he shall prosecute as directed under this act. The Food Commissioner or his assistants may enter any dairy, creamery, cheese factory, store, salesroom, warehouse (except bonded warehouses for the storage of distilled spirits), where goods are stored or exposed for sale, and also have power to open any cask, tub, bottle or package containing any article of food and take samples therefrom for analysis. The person making such inspection shall take such sample of such article in the presence of at least one witness, and mark or seal same, and tender at the time of taking to the manufacturer or vendor the value thereof, but if the person from whom sample is taken shall request him to do so, he shall seal two samples of the article seized, one of which shall be for analysis under the direction of the Commissioner and the other shall be delivered to the person from whom taken. Any person who shall obstruct the Commissioner or his assistants by refusing him entrance to any place where he desires to enter in the discharge of his duty, or refuse to deliver him a sample of any article of food when the same is requested and the value thereof tendered, is guilty of a misdemeanor, punishable by a fine of not exceeding \$50 for the first offense, and \$500 nor less than \$50 for each subsequent offense.

Sec. 6. The State's Attorney in any county of the state shall assist the Commissioner upon request.

Sec. 7. The State Board of Health may submit samples of food and drink for examination or analysis to the Commissioner and receive special reports from him.

Sec. 8. It is unlawful for the State Analyst to furnish any person any certificate as to the purity or excellence of any article manufactured or sold by him.



WE will not say what others are doing,
but we are making only absolutely
pure goods, and desire to call atten-
tion to the high quality of our
Candies, including our Fine Chocolates,
which we believe we can safely say, are
the finest goods offered for the best retail
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BUNTE BROS. & SPOEHR

Manufacturers of

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Chocolates and Candies

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CHICAGO



Sec. 9. Provides for the payment of the Commissioner's salary.

Sec. 10. Provides for the furnishing of a laboratory for the purpose of making analyses under this act; also provides an annual appropriation therefor of \$600.00.

Sec. 11. Provides for an annual report from the Commissioner to the Governor on or before the first day of January in each year, and as to what said report shall contain. Also provides for the distribution of such reports throughout the state.

Fines, penalties and costs for violations of this act shall be paid into the state treasury.

ADULTERATED FOOD.

Sec. 12. Prohibits the manufacture, sale or possession with intent to sell any article of food adulterated within the meaning of this act.

Sec. 13. The term "food" includes all articles, whether simple, mixed or compound, used for food, candy, drink or condiment by man or domestic animals.

Sec. 14. An article shall be deemed adulterated:

First, if any substance has been mixed with it so as to depreciate or injuriously affect its quality, strength or purity; *second*, if any inferior or cheaper substance has been substituted wholly or in part for the article; *third*, if any valuable or necessary constituent or ingredient has been wholly or in part abstracted from it; *fourth*, if it be an imitation of and sold under the name of another article; *fifth*, if it is mixed colored, coated, polished or powdered whereby damage or inferiority is concealed, or if by any means it is made to appear better or of greater value than it really is; *sixth*, if it contains any substance or ingredient which is poisonous or injurious to health; *seventh*, if it consists wholly or in part of a decomposed, putrid, infected, tainted or rotten animal or vegetable substance or article, whether manufactured or not, or if it is the product of a diseased animal, or if of an animal that has died otherwise than by slaughter; *provided*, that an article of food which does not contain any ingredient injurious to health, and in the case of mixtures or compounds which may be now or from time to time hereafter known as articles of food under their own distinctive names, or which shall be labeled so as to plainly indicate that they are mixtures, combinations, compounds or blends, and not included in definition fourth of this section, shall not be deemed to have been adulterated; *provided, further*, that all manufactured articles of food offered for sale shall be distinctly labeled, marked or branded with the name of the manufacturer, place of manufacture, or the name and address of the packer or seller of same.

VINEGAR.

Sec. 15. Prohibits the manufacture or sale or possession with intent to sell any vinegar not in compliance with the provisions hereof. No vinegar shall be sold as apple, orchard or cider vinegar which is not the product of pure apple juice, known as apple cider, and apple or orchard or cider vinegar shall contain upon test not less than one and three-quarters per cent by weight of cider vinegar solids upon full evaporation at the temperature of boiling water.

Sec. 16. Vinegar made by fermentation and oxidation without the intervention of distillation shall be branded with the name of the fruit or substance from which the same is made. Vinegar made from distilled liquor or partly therefrom shall be branded "distilled vinegar." Fermented vinegar, not distilled, shall contain not less than one and one-quarter per cent by weight upon full evaporation (at the temperature of boiling water) of solids contained in the fruit from which said vinegar is fermented, and said vinegar shall contain not less than two and a half-tenths or one per cent ash or mineral matter, the same being the product of the material from which said vinegar is manufactured. All vinegar shall be made wholly from the fruit or grain from which it purports to be made, and shall contain no foreign substance, and shall contain not less than four per cent by weight of absolute acetic acid.

Sec. 17. Prohibits the manufacture or sale or possession with intent to sell any vinegar found upon test to contain any preparation of lead, copper, sulphuric acid or mineral acid, or other ingredients injurious to health. The package containing vinegar shall be marked or branded on the head of the cask, barrel, or keg containing same with the name and residence of the manufacturer or dealer, together with the brand required in section 16 hereof.

ICE.

Sec. 18. Prohibits the sale or delivery for food or drink purposes of natural or manufactured ice containing decomposed, putrid, infected, tainted or rotten animal or vegetable substances, or any ingredient injurious to health. Ice intended for food or drink purposes shall not be composed of water of lower standard of purity than that required for domestic purposes by the State Board of Health.

CANDY.

Sec. 19. Any person manufacturing or selling candy or confectionery adulterated by the admixture of terra alba, barytes, talc or other earthly or material substances, or any poisonous coloring, flavoring or extract, or other deleterious ingredients detrimental to health, shall be punished by a fine of not less than \$10 nor more

UNITED STATES SUGAR REFINERY

MANUFACTURERS

OF

HIGH GRADE CORN SYRUPS

SOLD BY LEADING JOBBERS
THROUGHOUT THE COUNTRY

GENERAL OFFICES:
GREAT NORTHERN BLDG.
CHICAGO, ILL.

FACTORY:
WAUKEGAN,
ILL.

than \$100, or imprisonment in the county jail not less than ten nor more than thirty days, or both.

PRESERVED FRUITS.

Sec. 20. No packer or dealer in preserved or canned fruits or vegetables or other articles of food shall sell or offer for sale such canned or preserved fruits or vegetables or other articles of food unless they shall be entirely free from substances and ingredients deleterious to health, and unless such articles bear a mark, stamp, brand or label, bearing the name and address of the firm, person or corporation that packs same or the dealer that sells the same. All soaked or bleached goods or goods put up from products dried before canning shall be plainly marked, branded, stamped or labeled as such with the words "soaked" or "bleached goods" in letters not less than two-line pica in size, showing the name of the article and the name and address of the packer or dealer who sells the same.

FRUITS, JELLIES, JAMS, ETC.

Sec. 21. Prohibits the manufacture, sale or possession with intent to sell as fruit, jelly, jam or fruit butter any jelly, jam or imitation fruit butter or other similar compound made in whole or in part of glucose, dextrine, starch or other substances and colored in imitation of fruit, jelly, jam or fruit butter; nor shall any such jelly, jam or fruit butter or compound be manufactured or sold or offered for sale under any name or designation whatever unless the same shall be composed entirely of ingredients not injurious to health, and every can, pail or package of such jelly, jam or fruit butter sold in this state shall be distinctly and durably labeled "Imitation fruit, jelly, jam or butter," with the name and address of the manufacturer or dealer therein.

Sec. 22. Extracts made of more than one principal must be labeled with the name of each principal, or with the name of the inferior or adulterant.

When an extract is labeled with two or more names the type must be similar in size. The word "compound" can't be used. Extracts which cannot be made from the fruit, berry or bean, and must necessarily be made artificially, as raspberry, strawberry, etc., shall be labeled "artificial." Chocolates and cocoas must not contain substances other than cocoa mass, sugar and flavoring and will not be required to be labeled "compound" or "mixture." Prepared cocoanut, if so labeled, shall contain nothing but cocoanut, sugar and glycerine, and shall not be classed as compound or mixture.

Sec. 23. Whoever shall falsely brand, mark or label any article or product required by this

act to be branded, marked or labeled, or shall remove, alter, deface, imitate or counterfeit any brand, mark or label so required shall be guilty of a misdemeanor and punished by a fine of not less than \$25 nor more than \$200 and costs, or by imprisonment in the county jail for not less than 30 nor more than 90 days, or both, for each offense.

Sec. 24. The taking of orders or making of agreements or contracts for the future delivery of any article, product, goods, wares, or merchandise, within the provisions hereof shall be deemed a sale.

Sec. 25. Every person manufacturing, offering or exposing for sale or delivery to a purchaser any article intended for food, shall furnish upon application a sample thereof sufficient for analysis of any such article. Whoever hinders, obstructs or in any way interferes with any inspector, analyst or other officer appointed hereinunder, and whoever willfully neglects or refuses to do any of the acts or things enjoined by this act, or violates any of the provisions hereof, is guilty of a misdemeanor, and unless otherwise provided herein, shall be punished by a fine not exceeding \$200 nor less than \$25, or be imprisoned in the county jail for a period not exceeding 90 days, or both.

Sec. 26. Repeals acts inconsistent with this act, and section 6 of an act to prevent the adulteration of butter and cheese, etc., approved June 1st, 1881.

MILK.

An act to regulate the sale of milk. Approved May 29th, 1879. In force July 1st, 1879.

Sec. 1. Provides that whoever shall for the purpose of sale for human food adulterate milk with water or foreign substance, or knowingly sell for human food milk from which the cream has been taken without notifying the purchaser thereof, or sell milk from which the "stripings" have been withheld without notifying the purchaser thereof, or sell milk drawn from a diseased cow knowing her to be so diseased as to render her milk unwholesome, and whoever shall knowingly sell for human food milk so tainted or corrupted as to be unwholesome, or supply or bring to be manufactured into any substance for human food to any cheese or butter factory or creamery without all interested therein knowing or being informed of the fact milk adulterated with water or foreign substance, or any milk such as has been specified in this section, or shall with intent to defraud take from milk after it has been delivered to a cheese factory or butter factory or creamery to be manufactured into any substance for human food, for or on account of the person sup-

"Variety's the spice of life that gives it all its flavor."—Cowper.

If you are desirous of proving the truth of the above

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Schotten's Pure Ground Spices

All goods put up under our firm name are **WARRANTED PURE**. The success which is attendant upon our labors does not depend upon our ability to under-bid our competitors, for while our spices are the dearest in the United States, they are **SOLD EVERYWHERE** simply because they are the **BEST** : : : : : :

ESTABLISHED 1847.

WM. SCHOTTEN & CO.
TEAS, COFFEES and SPICES
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ST. CLAIR VINEGAR COMPANY

BELLEVILLE, ILLINOIS.
(ABOUT 120 MILES FROM ST. LOUIS)

MANUFACTURERS OF

HIGH-GRADE DISTILLED VINEGARS

CAPACITY
100
BARRELS
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All our Vinegar is manufactured in strict compliance with the pure food laws of the State of Illinois. :: ::

plying the milk or cream, or shall with like intent knowingly add any foreign substance to milk or cream, whereby it or the products thereof shall become unwholesome for human food, shall be guilty of a misdemeanor, and for each offense shall be fined not less than \$25 nor more than \$100, or confined in the county jail not exceeding six months, or both.

Sec. 2. Provides a penalty for adulterating milk for the purpose of sale or exchange, or for keeping cows for the production of milk for market, sale or exchange in any unhealthy condition, or knowingly feeding them upon food that produces impure, diseased or unwholesome milk; declares a misdemeanor punishable by a fine of not less than \$50 nor more than \$200 for each offense.

Sec. 3. Retailers in the sale or exchange or traffic of milk shall have each and every can in which milk is carried or exposed for sale or exchange, and the carriages or vehicles from which the same is vended, conspicuously marked with his or their names, indicating by said mark the locality from which said milk is obtained or produced; for every neglect of such marking the person so neglecting shall be subjected to the penalties in section 2 of this act. For every violation of this act by so marking said cans, carriages or vehicles so as to convey the idea that said milk is produced or procured from a different locality than it really is, the person so offending shall be subject to a fine of \$100.

Sec. 4. Any person who shall sell in any of the cities in this state milk from which the cream or any part thereof shall have been taken shall offer the same as skimmed milk and not otherwise, and shall have each can or vessel in which such milk is carried or exposed for sale plainly and conspicuously marked with the words "Skimmed milk." Any person violating this section shall be fined not exceeding \$50 for each offense.

Sec. 5. Provides that in the rendition of a judgment imposing a fine as heretofore specified judgment for costs shall also be included, in default of payment of which a capias against the body of the defendant shall issue, committing him to the county jail, there to remain, as provided by section 308 of "An act to revise the law in relation to criminal jurisprudence," in force July 1, 1874.

Sec. 6. The addition of water or any foreign substance to milk or cream intended for sale or exchange is declared an adulteration. Milk that is obtained from cows fed on distillery waste, usually called "swill," or upon any substance in a state of putrefaction, is declared to be impure and unwholesome.

This act does not prohibit the addition of

sugar in the manufacture of condensed or preserved milk.

An act to fix the standard of analysis for milk. Approved June 7, 1897.

Sec. 1. The standard of analysis for milk in this state as to ingredients and preparations shall be: Water 88 per cent, milk solids 12 per cent, such solids to contain not less than 3 per cent of butter fat. Contracts made for milk purchased within this state for delivery within or without this state shall contain no other standard, except by special contract in writing.

Session laws of 1897, page 268.

BUTTER AND CHEESE.

Sec. 1. Whoever manufactures out of any oleaginous substance or compound thereof other than that produced from unadulterated milk or cream from the same any article designed to take the place of butter or cheese produced from pure unadulterated milk or cream of the same, and shall sell or offer for sale the same as butter or cheese, or give to any person the same as an article of food, as butter or cheese, shall be fined not less than \$25 nor more than \$200.

Approved June 1st, 1881.

VINEGAR.

Sec. 1. Whoever shall manufacture or sell as cider vinegar any vinegar not the legitimate product of pure apple juice, known as apple cider, and not made exclusively of said cider, shall for each offense be punished by a fine of not less than \$25 nor more than \$50.

Sec. 2. Every person who shall manufacture or offer for sale any vinegar found upon test to contain any preparation of lead, copper, sulphuric acid or other ingredients injurious to health shall for each offense be punished by a fine of not less than \$100.

Approved June 14, 1883.

VEAL.

Sec. 1. If any person kills or causes to be killed for the purpose of sale any immature calf, or any calf less than four weeks old, or knowingly sells or has in possession with intent to sell for food the meat of any such calf, he shall be guilty of a misdemeanor and punished by a fine of not less than \$25 nor more than \$50, or by imprisonment in the county jail not exceeding 30 days, or both; and all such meat exposed for sale or kept with intent to sell may be seized and destroyed by any health officer, sheriff, deputy sheriff, constable or police officer.

Approved June 16, 1887. In force July 1st, 1887.

BUTTER.

Sec. 1. For the purposes of this act every article, substitute or compound other than that

HUSS-EDLER PRESERVE CO.

CHICAGO, ILLINOIS.

MANUFACTURERS OF

CATSUP, MUSTARD,
JELLIES, PRESERVES, SYRUPS,
PICCALILLI, SAUCES
AND
FINE CONDIMENTS.

OUR GOODS ARE GUARANTEED TO BE EQUAL
TO ANY IN THE MARKET.

WE SELL TO JOBBERS ONLY.

INCLUDE IN YOUR NEXT ORDER OUR BRANDS OF GOODS.

ESTABLISHED 1871.

W M. HENNING.

Manufacturer of Pure Grain,
Distilled Vinegar made from the
best grades of Corn, Rye and Malt.

VINEGAR WORKS:
113-117 East North Avenue
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Vinegar
— and —
Pickles.

Packer of Sweet, Sour and Dill
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2 POUND
YELLOW PACKAGES

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CHICAGO, ILL.

which is produced from pure milk or cream therefrom, made in semblance of butter and designed to be used as a substitute for butter made from pure milk or cream from the same, is hereby declared to be imitation butter; provided, the use of salt or harmless coloring matter for coloring the product of pure milk or cream shall not be construed to render such product an imitation.

Sec. 2. Prohibits any person from coating, powdering or coloring with annatto or any other coloring matter, any substance as a substitute for butter whereby such substitute so colored or compounded shall be made to resemble butter, the product of the dairy.

No person shall combine any animal fat or vegetable oil or other substance with butter, or combined therewith or with animal fat or vegetable oil or combination of the two, or with either one, any other substance or substances for the purpose or with the effect of imparting thereto a yellow color or any shade of yellow, so that such substitute shall resemble yellow or any shade of genuine yellow butter, nor introduce any such coloring matter or substance into any of the articles of which the same is composed; provided, this act shall not prohibit the use of salt, rennet and harmless coloring matter for coloring the product of pure milk or cream from the same.

No person shall produce or manufacture any substance in imitation of natural butter, nor sell nor offer for sale any imitation butter made in violation of this section, whether such imitation butter be made or produced in this state or elsewhere. This section shall not be construed to prohibit the manufacture and sale as hereinafter provided, of substances to be used as a substitute for butter, and not manufactured or produced as herein prohibited.

Sec. 3. Every person who lawfully manufactures any substance as a substitute for butter shall mark by brand, stamp, or stencil, upon the top or side of each box, tub, firkin or package in which such article shall be kept or in which it shall be removed from the place where produced in a clear and durable manner in the English language the word "Oleomargarine" or the word "Butterine" or the words "Substitute for butter," or the words "Imitation butter," in printed letters in plain, Roman type, each of which shall not be less than three-fourths of an inch in length.

Sec. 4. It is unlawful to sell imitation butter without informing the purchaser thereof, or the person to whom the same is offered for sale, that the substance sold or offered for sale is imitation butter.

Sec. 5. No person shall ship, consign or forward by any common carrier, whether public

or private, any substance designed to be used as a substitute for butter unless it shall be marked as provided in this act, and unless consigned to the carrier and receipted for by its true name; provided, this act shall not apply to goods in transit across this state.

Sec. 6. No person shall have in his possession or control any substance as a substitute for butter unless the box, firkin, jar, tub or package containing same is clearly and durably marked as provided in this act; provided, this section shall not be deemed to apply to persons who have the same in their possession for actual consumption by themselves or families. Every person who shall have possession or control of any imitation butter for the purpose of sale which is not marked as required herein shall be presumed to have knowledge of the true character and name thereof.

Sec. 7. Whoever shall have possession or control of any imitation butter or substance as a substitute for butter contrary to the provisions of this act for the purpose of sale shall be held to have possession thereof with intent to violate this act.

Sec. 8. Declares contracts in violation of this act non-actionable.

Sec. 9. Whoever shall deface, erase or remove any mark provided for by this act, with intent to mislead, deceive or violate any of the provisions hereof, shall be guilty of a misdemeanor.

Sec. 10. Whoever shall violate any of the provisions of this act shall be punished by a fine of not less than \$50 nor more than \$200, or by imprisonment in the county jail not to exceed 60 days for each offense, or both; a fine alone may be sued for and recover before any justice of the peace in the county where the offense was committed at the instance of any person in the name of the people of the State of Illinois as plaintiff.

Sec. 11. The State's Attorney of each county shall prosecute for violations of this act upon complaint of any person. Provides for his fees.

Approved June 14, 1897.

BRANDING AND SALE OF BUTTER.

Session Laws of 1901. Page 315-316.

Sec. 1. Provides, that no person, firm, corporation, agent or employe shall manufacture, sell, offer or expose for sale, in this state any butter that is produced by taking original packing stock butter, or other butter, or both, and melting same so that the butter fat can be drawn off or extracted, then mixing said butter fat with skimmed milk, milk or cream, or other milk product, and rechurning or reworking the said mixture, or that produced by any process that is commonly known as boiled, process or

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renovated butter, unless the same is branded or marked as provided in section 2 of this act.

Sec. 2. Provides that no person, firm, corporation, agent or employe shall sell, offer or expose for sale, or deliver to a purchaser, any boiled, process or renovated butter, as defined in section 1 of this act, unless the words "Renovated Butter" shall be plainly branded with Gothic or bold-faced letters at least three-fourths of an inch in length on the top and sides of each tub, box or pail, or other kind of a case or package, or on the wrapper of prints or rolls in which it is put up. And if such butter is exposed for sale uncovered or not in a case or package, a placard containing the label so printed shall be attached to the mass of butter in such manner as to be easily seen and read by the purchaser. The branding or marking of all packages shall be in the English language, and in a conspicuous place, so as to be easily seen and read by the purchaser.

Sec. 3. Provides that the State Food Commissioner and his assistants, experts and chemists, by him appointed, shall be charged with enforcing the provisions of this act. When complaint is made by the State Food Commissioner or his assistants, experts, chemists or persons authorized by him, security for costs shall not be required.

Sec. 4. Whoever violates any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction be subject to a fine of not less than \$25 nor more than \$50, or imprisoned in the county jail not exceeding six months.

Sec. 5. The said Commissioner, his assistants, experts, chemists or agents, shall have access and ingress to all places of business, factories, stores and buildings used for the manufacture or sale of butter. They shall also have power and authority to open any tub, box, pail or other kind of case or package containing any butter that may be manufactured, sold or exposed for sale.

Approved April 24, 1901.

COLORING GRAIN.

Sec. 1. No person shall subject or cause to be subjected any barley, wheat, or other grain to fumigation by sulphur or other material or to any chemical or coloring process, whereby the color, quality or germ of such grain is affected.

Sec. 2. No person shall offer for sale or procure to be sold any barley, wheat or other grain which shall have been subjected to such fumigation, or other process, as provided in section 1 of this act, knowing such barley, wheat or other grain to have been so subjected.

Sec. 3. Any person violating the provisions of this act shall upon conviction be punished by a fine of not less than \$100 nor more than

\$1,000, and imprisoned not exceeding three months in the county jail, and shall also be liable for all damages sustained by any such violation.

Sec. 4. Any court of record shall have jurisdiction over this act, and fines shall be collected as provided by statute in other criminal cases.

Approved May 25th, 1877. In force July 1st, 1877.

ADULTERATION OF FOOD, DRINK OR MEDICINE.

Sec. 1. No person shall mix, color, stain or powder, or order or permit any person in his employ so to do, any article of food with any ingredient or material so as to render the article injurious to health or depreciate its value, with intent that the same shall be sold, and no person shall sell or offer for sale such article so mixed, colored, stained or powdered.

Sec. 2. No person shall, except for the purpose of compounding into a necessary preparation or medicine, mix, color, stain or powder, or order or permit any other person to mix, color, stain or powder any drug or medicine with any ingredient or material so as to affect injuriously the quality or composition of such drug or medicine, with intent to sell the same, or sell any such drug or medicine so mixed, colored, stained or powdered.

Sec. 3. No person shall mix, color, stain or powder any article of food, drink or medicine with any other ingredient or material, whether injurious to health or not, for the purpose of gain or profit, or sell or order or permit any person for him to sell any article so mixed, colored, stained or powdered, unless the same be so manufactured, used or sold or offered for sale under its true and appropriate name, and notice that the same is mixed or impure is marked, printed or stamped upon each package, roll, parcel or vessel containing same, so as to be and remain at all times plainly visible, or unless the person purchasing the same is fully informed by the seller of the true name and ingredients (if other than such as are known by the common name thereof) of such article of food, drink or medicine at the time of making the sale thereof, or offering to sell the same.

Sec. 4. No person shall mix oleomargarine, suine, butterine, beef fat, lard or other foreign substance with any butter or cheese intended for human food, without distinctly marking, stamping or labeling said article or package containing same with the true and appropriate name of such article, and the percentage in which such oleomargarine or suine enters into its composition; nor shall any person sell, order or permit to be sold any such article of food into the composition of which oleomargarine or suine has entered, without at the same time informing the

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buyer of the fact, and the proportions in which such oleomargarine, suine or butterine, beef fat, lard or other substance has entered into its composition; provided, that nothing in this act shall be construed to prevent the use of harmless coloring matter in butter and cheese or other articles of food.

Sec. 5. Any person convicted of violating any of the foregoing sections shall for the first offense be fined not less than \$25 nor more than \$200; for a second offense not less than \$100 nor more than \$200, or be confined in the county jail not less than one month nor more than six months, or both; and for a third or subsequent offense he shall be fined not less than \$500 nor more than \$2,000 and imprisoned in the penitentiary not less than one year nor more than five years.

Sec. 6. No person shall be convicted under any of the foregoing sections if he shall show to the satisfaction of the court or jury that he did not know that he was violating any of the provisions hereof, and that he could not with reasonable diligence have obtained the knowledge.

Sec. 7. The State's Attorneys are charged with the enforcement of this act, and it is made their duty to appear for the people and attend to prosecutions and complaints hereunder.

Approved June 1, 1881.

CANNED OR PRESERVED FOOD.

Sec. 1. Hereafter it shall be unlawful in this state for any packer or dealer in preserved or canned fruits or vegetables or other articles of food to offer such canned articles for sale after January 1st, 1886, with the exception of goods brought from foreign countries or packed prior to the passage of this act, unless such articles bear a mark to indicate the grade or quality, together with the name and address of such firm, person or corporation that packed the same, or dealer that sells same. Any person labeling such goods shall be considered a packer.

Sec. 2. All soaked goods put up from products dried before canning shall be plainly branded on the face of the label in letters not less than one-half inch high and three-eighths of an inch wide of solid and legible type with the word "soaked."

Sec. 3. Any person who shall falsely stamp, label or brand such cans or jars containing preserved fruit or food of any kind, or knowingly permit such false stamping or labeling, and any person who shall violate any of the provisions of this act, shall be guilty of a misdemeanor and punished by a fine of not less than \$50, in the case of vendors, and in the case of manufacturers and all those falsely and fraudulently stamping or labeling such cans or jars, a fine of

not less than \$500 nor more than \$1,000, and it shall be the duty of any Board of Health in this state cognizant of any violation of this act to prosecute any person therefor, and after deducting the costs of trial and conviction to retain for the use of such Board the balance of the fine recovered.

Approved June 27, 1885. In force July 1, 1885.

CANDIES, LIQUORS, MILK AND MEDICINE.

An act to revise the law of criminal jurisprudence. Approved March 27, 1874.

Sec. 7. Whoever fraudulently adulterates for the purpose of sale bread or any other substance intended for food, or any candy or confection, with any substance which is poisonous or injurious to health, and whoever sells or offers for sale any adulterated bread or substance intended for food, or candy or confection, knowing the same to be so adulterated, or shall sell or keep for sale the flesh of any diseased animal, or other corrupted or unwholesome provisions, shall be confined in the county jail not exceeding one year or be fined not exceeding \$1,000, or both.

Sec. 8. Whoever adulterates for the purpose of sale any liquor used or intended for sale with cocculus, indicus, vitriol, grains of paradise, opium, alum, capsicum, copperas, laurel water, logwood, Brazil wood, cochineal, sugar of lead, or other substance which is poisonous or injurious to health, or whoever sells or keeps for sale any liquor so adulterated, shall be confined in the county jail not exceeding one year, or fined not exceeding \$1,000, or both.

Sec. 9. Whoever adulterates for the purpose of sale any milk with water, chalk or other substance, or knowingly sells any such adulterated milk shall be confined in the county jail not exceeding one year, or fined not exceeding \$500.

Sec. 10. Whoever fraudulently adulterates for the purpose of sale any drug or medicine, or sells or offers or keeps for sale any fraudulently adulterated drug or medicine, knowing the same to be adulterated, shall be confined in the county jail not exceeding one year, or fined not exceeding \$1,000, and such adulterated drug or medicine shall be forfeited and destroyed.

FLESH OF DISEASED ANIMALS AND IMPURE LIQUORS.

CHAPTER 30.

Sec. 135. If any person shall knowingly sell the flesh of any diseased animal or other unwholesome provisions, or any pernicious or adulterated drink or liquor, every person so offending shall be fined not exceeding \$100, or imprisoned not exceeding three months.

Brayman's Revision of Statute, 1845.

SPIELMANN BROS. CO.

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Pure High Grade Vinegars

Guaranteed to Comply with the
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LABELS—SUBSTANCES PURPORTING TO BE BUTTER OR CHEESE.

Sec. 1. Whoever manufactures, sells or causes the same to be done any substance purporting to be butter or cheese, or having the semblance thereof, which substance is not made wholly from pure cream or pure milk, unless the same be manufactured under its true and appropriate name, and unless each package, roll or parcel thereof or vessel containing one or more packages of such substance, has distinctly and durably printed, stamped or marked thereon the true and appropriate name of such substance, in ordinary bold faced capital letters, not less than five-line pica, shall be punished as provided in section 3 of this act.

Sec. 2. Whoever shall sell any such substance as mentioned in section 1 of this act, to consumers, or cause the same to be done, without delivering with each package, roll or parcel so sold a label on which is plainly and legibly printed in Roman letters the true and appropriate name of such substance, shall be punished as provided in section 3 of this act.

Sec. 3. Whoever knowingly violates section 1 or section 2 hereof shall be fined in any sum not less than \$10 nor more than \$300, or imprisoned in the county jail not less than ten nor more than ninety days, or both; provided, that nothing contained in this act shall be construed to prevent the use of skimmed milk, salt, rennet and harmless coloring matter in the manufacture of butter or cheese.

Approved May 31, 1879.

RULES ADOPTED BY THE STATE FOOD COMMISSION.

Published in the Report of 1899-1900.

The work of the State Food Commission is in its incipient and experimental stage. Many of the questions presented for consideration are new to the Commissioner, and the duties of his office lie largely outside of his accustomed lines of thought and action. The law has wisely provided that one of his assistants shall be "a practical and analytical chemist," and the other "an expert in the matter of dairy products." He must necessarily rely on such assistants for that technical knowledge which is required in the administration of the food laws of the state.

By their advice and assistance the following rules have been adopted and are published for general information. Some of these rules are original with the Commission, while many of them have been adopted in other states, and are adopted in this state until such time as experience may demonstrate the necessity of their change or abrogation:

All milk offered for sale must be from healthy cows of clean and wholesome character, unadul-

terated, free from preservative, and must contain not less than three per cent of butter fat.

So called "evaporated cream," containing less than 15 per cent butter fat, must have the words "An unsweetened condensed milk" printed conspicuously on the front part of the label.

Condensed milk must contain not less than 8.5 per cent butter fat.

Condensed skim milk must be plainly labeled as such.

Process and imitation butter must not be marked and sold as "creamery" or "dairy," but each should be marked plainly with its own name.

Oleomargarine, butterine and imitation butter can be manufactured and sold under their appropriate names and color when appropriately labeled. Each tub, package or parcel shall have distinctly and durably painted, stamped or marked thereon the true and appropriate name of such substance in ordinary bold-faced capital letters not less than five lines pica.

"Whole milk" cheese, commonly miscalled "full cream" cheese, must contain at least forty-eight per cent of fat to total solids.

Butter shall contain at least 80 per cent of fat.

"Coffee cream" shall contain at least 15 per cent of fat, and "whipping cream" at least 22 per cent.

The term "vinegar" is limited to water solution of acetic acid derived from alcohol by fermentation, containing not less than 4 per cent of absolute acetic acid carrying in solution, if undistilled, extractives from the fruit, grain, vegetable or syrup used in their preparation.

All vinegar must be labeled and sold under its true name as determined by its derivation. Distilled or fermented vinegar may be reduced with water to legal requirements, but one variety of vinegar shall not be fortified or reduced with another.

Undistilled vinegar made from an infusion of mixed grains may be labeled grain or beer vinegar. Malt vinegar must be made entirely from an infusion of malted grains.

Artificial harmless coloring matter is allowed in pure cider and pure malt vinegar. Colored distilled vinegar may be sold if every barrel is plainly marked "colored distilled vinegar," and if retailers paste a label with those words on every bottle, jug or jar sold.

Honey vinegar, if shown by analysis to be prepared exclusively from diluted honey, need not reach requirements in solids and ash demanded in other undistilled vinegars.

Coffee must be true in name. It must not be coated or polished to conceal inferiority. Imitations containing no coffee cannot be sold as coffee compounds, but may be sold under coin

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CREAM

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names. Compounds of coffee and chicory or of coffee or any other harmless substitute allied to it in either flavor or strength and not used simply as an adulterant, may be sold when labeled "Coffee compound."

Syrup is a product of either corn or sugar cane. When made from sugar cane it is called cane syrup, when made from corn it is glucose syrup. There is little difference in the food value of these syrups. It is questionable whether or not one could be considered an adulterant of the other, as each falls within the true definition of a syrup, as both the mild Rio and the strong Mocha are each true coffees. The sale of glucose as and for cane syrup is a fraud and a violation of law. The sale of a mixture of glucose and cane syrups without other label than that of the general term "syrup" is permitted. Molasses containing glucose must be labeled glucose mixture, as the value of molasses is dependent upon a pungent flavor peculiar to itself, and not found in glucose syrups.

Maple sugar must be true to name. A compound of corn or beet sugar with maple sugar cannot be sold even when labeled compound, as the chief element of value in maple flavor, and any admixture of any other sugars is for the sole purpose of cheapening the article, and is a clear case of adulteration which cannot be remedied by a label.

Wheat flour mixed with corn flour may be sold when labeled "Compound flour" or "Compound wheat flour."

Buckwheat flour may be mixed with other flour and sold as "Compound buckwheat flour." Self-rising buckwheat flour must be so labeled.

Rye flour, if not absolutely pure, must be marked "Compound rye flour."

Imitation jellies, fruit, butter and preserves may be colored with a harmless coloring, provided they are labeled "Imitation jelly, colored," and free from all ingredients deleterious to health.

Honey adulterated with glucose or any other substance not deleterious to health may be sold when labeled "Adulterated honey."

Dry mustard must be pure.

Prepared mustard must be free from starch or adulterant of any kind, and, if consisting of mustard, vinegar and spices, may be sold when labeled "Prepared mustard."

A preparation of mustard, vinegar, spices and enough filling of starch to make a mustard of mild flavor to meet a legitimate demand which undoubtedly exists, may be sold when labeled "Prepared mustard compound." Harmless coloring matter may be used in preparations of mustard only to secure uniformity of appearance.

All spices must be pure. Any mixture of any foreign article with any spice is an adulteration. An adulteration of spices cannot be remedied by the label "Compound."

Catsup must not contain preservatives deleterious to health.

Cream of tartar must be pure. All compounds are unlawful.

Chocolate and cocoa, when made only from the cocoa mass, sugar and glycerine, may be sold under the name "Prepared cocoa" or "Sweet chocolate."

Candy must be free from inert mineral matters, and not made colored with substances deleterious to health.

Canned goods must be labeled with grade or quality of the goods and the name and address of the seller or manufacturer.

Artificial extracts can be manufactured and sold only in cases where it is not possible to produce an extract from the fruit itself. Extracts of this class must be labeled "Artificial extracts."

Lemon extract shall contain at least five per cent of the pure oil of lemon dissolved in alcohol. Harmless coloring matter will be permitted. The sale of compound lemon extracts is prohibited.

Vanilla extract shall be made wholly from Vanilla beans, and shall contain no artificial coloring. The color of a Vanilla extract is an indication of its strength, and coloring in such case would be used for the purpose of concealing inferiority, and of making the article appear better than it really is.

When other flavoring substances are used, such as Vanillin, Coumarin or Tonka, the extract should be labeled so as to show the purchaser its true character, as "Compound extract of Tonka and Vanillin." The label, "Compound extract of vanilla," will not be deemed sufficient notice of the composition of the article.

All baking powders sold in the state must be labeled in a conspicuous way and place with a name signifying the class or variety to which it belongs, based on the name of the acid ingredient; thus, for example, "This is an alum baking powder; an alum phosphate baking powder; a phosphate baking powder; a cream of tartar baking powder." Potassium acid sulphite is regarded as unwholesome if not injurious and its use in any article of food is prohibited.

Wherever the words "Artificial," "Imitation," "Compound," etc., are required, these words must be printed immediately preceding or following the word which they modify, in the same size type and equally prominent. Thus: "Imitation currant jelly," or (colored) "Coffee compound."

ALFRED H. JONES,

Illinois State Food Commissioner.

Van Camp's

BOSTON BAKED

Pork and Beans

PREPARED WITH TOMATO SAUCE

OTHER PRIME PRODUCTS ARE
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(Eighteen Varieties)

TOMATO CATSUP	PLUM PUDDING
BONELESS CHICKEN	BONELESS TURKEY
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POTTED TONGUE	POTTED CHICKEN
VIENNA SAUSAGE	RED KIDNEY BEANS
SAUER KRAUT	HULLED CORN HOMINY
PUMPKIN PIE	MACARONI AND CHEESE

(Prepared with Tomato Sauce)

TOMATOES PEAS STRINGLESS BEANS
ALL OF THE CHOICEST, BEST VARIETIES.

VanCamp Packing Co., Indianapolis, Ind.

PURE FOOD LAWS OF INDIANA.

The State of Indiana has no Food or Dairy Commission. By the Act of the General Assembly approved February 28, 1899, it has become the duty of the State Board of Health to enforce the laws of the state governing food and drug adulteration and to take cognizance of the interests of the public health relating to the sale of drugs and foods. The state, county, city and town health officers are made food and drug inspectors and the State Health Officer shall be inspector of food and drugs. The State Board of Health shall adopt such measures as may be necessary to enforce the provisions of this act and the laws on the subject of pure food. The State Board of Health consists of the following members:

J. H. Forest, M. D., President.....Marion
W. N. Wishard, M. D., Vice-President....
.....Indianapolis
T. Henry Davis, M. D.,.....Richmond
Clark Cook, M. D.,.....Fowler
J. N. Hurty, M. D., Phar. D., Secretary..
.....Indianapolis

A digest of the law is as follows:

Sec. 2157a. Provides that no person shall, within this state, manufacture for sale or offer for sale, or sell any drug or article of food which is adulterated within the meaning of this act. The term "drug" as used in this act, shall include all medicines for internal or external use, antiseptics, disinfectants and cosmetics. The term "food" as used herein, shall include confectionery, condiments and all articles used for food or drink by man. An article shall be deemed to be adulterated within the meaning of this act: (a) In case of drugs, (1) if when sold under or by a name recognized by the United States Pharmacopœia, it differs materially from the standard of strength, quality or purity laid down therein, unless the order calls for an article inferior to such standard, or unless such difference is made known or so appears to the purchaser at the time of such sale; (2) if when sold under or by a name not recognized in the United States Pharmacopœia, but which is found in some other pharmacopœia or other standard work on materia medica, it differs materially from the standard of strength, quality or purity laid down in such work; (3) if its strength or purity falls below the professed standard under which it is sold. (b) In the case of food, (1) if any substance or substances have been mixed with it, so as to reduce or lower or injuriously affect its quality or strength; (2) if any inferior or cheaper substance or substances have been substituted wholly or in part

for it; (3) if any valuable constituent has been wholly or in part abstracted from it; (4) if it is an imitation of or sold under the name of another article; (5) if it consists wholly or in part of a diseased, decomposed, putrid or rotten animal or vegetable substance, whether manufactured or not, or in the case of milk, if it is the product of a diseased animal; (6) if it is colored, coated, polished or powdered whereby damage is concealed, or if it is made to appear better or of greater value than it really is; (7) if it contains any added poisonous ingredient, or any ingredient which may render it injurious to the health of the person consuming it. The provisions of this act shall not apply to mixtures or compounds recognized as ordinary articles of food or drink: Provided, That the same are not injurious to health, and are distinctly labeled as mixtures or compounds; and no prosecutions shall at any time be maintained under said act concerning any drug, the standard of strength or purity whereof has been raised since the issue of the last edition of the United States Pharmacopœia, unless and until such change of standard has been published throughout the State.

Sec. 2157b. Provides that it is the duty of the State Board of Health to enforce the laws of the State governing food and drug adulterations; and the State Health Officer shall be the State inspector of foods and drugs. The State Board of Health shall take cognizance of the public health relating to the sale of drugs and foods, and adulterations of the same, and make investigations in reference thereto, and for said purpose the state, county, city and town health officers shall be food and drug inspectors, subordinate to the State Board of Health. The State Board of Health shall adopt such measures as may be necessary to enforce the provisions of this act, and regulate minimum standards for foods and drugs and other necessary rules. Every person offering or exposing for sale or delivering to a purchaser any drug or article of food included in the provisions hereof shall furnish to any analyst, or other person appointed hereunder, when value thereof is tendered him, a sample sufficient for analysis of such drug or article of food in his possession. Whoever hinders, obstructs or interferes with any inspector, or other officer appointed hereunder in the performance of his duty, or violates any of the provisions hereof, shall, upon conviction, be fined in any sum not exceeding \$100. Whoever fraudulently adulterates, for the purpose of sale, bread or any other substance in-

tended for food with any substance injurious to health shall be fined not exceeding \$100, and the article so adulterated shall be forfeited and destroyed under direction of the court. Whoever adulterates, for the purpose of sale, liquor used or intended for drink, or knowingly sells any such liquor so adulterated, shall be fined not less than \$100 nor more than \$500 and the article so adulterated shall be forfeited and destroyed under direction of the court.

UNWHOLESOME FOOD.

Sec. 2157 (2069). Provides that whoever sells or possesses with intent to sell or expose for sale any kind of diseased, corrupted or unwholesome provisions, whether for meat or drink, or whoever knowingly sells or exposes for sale any article intended to be eaten or drunk, and shall be labeled or in any way represented to be other than what it is, or kills for the purpose of sale any calf less than four weeks old, or sells or possesses with intent to sell the meat of any calf killed when less than four weeks old, shall be fined not more than \$500 nor less than \$10, or imprisoned in the county jail not exceeding six months nor less than ten days.

CANDY.

Sec. 2157c. No person shall by himself or agent or otherwise sell or offer for sale any candy adulterated by the admixture of terra alba, barytes, talc, or other mineral substance, or by poisonous colors or flavors, or other ingredients injurious to health.

Sec. 2157d. A violation of this act is punishable by a fine of not exceeding \$100 nor less than \$50, and the candy so adulterated shall be forfeited and destroyed under direction of court before the vendor or manufacturer is tried.

OLEOMARGARINE.

Sec. 2158. Whoever sells or possesses with intent to sell or exposes or keeps on any table at any hotel, or public or private boarding house, any butter other than that made from pure milk, without labeling the same in large letters "Oleomargarine" shall be guilty of a misdemeanor and fined not exceeding \$50 nor less than \$10.

VINEGAR.

Sec. 2159. Every person who manufactures for sale or offers or exposes for sale as cider vinegar any vinegar not the legitimate product of pure apple cider, or vinegar not made exclusively of said apple cider, or vinegar into which any foreign ingredients, drugs or acids have been introduced, shall be punished by a fine not less than \$25 nor more than \$100.

Sec. 2160. Every person who manufactures for sale, sells, offers or exposes for sale any

vinegar found to contain any preparation of lead, copper, sulphuric acid, or other ingredient injurious to health, shall be guilty of a misdemeanor and punished for each offense by a fine of not less than \$10 nor more than \$100.

Sec. 2161. No person shall by himself, agent or otherwise, sell or have in his custody with intent to sell or offer for sale any adulterated vinegar, or vinegar not the legitimate product of pure apple juice, or not made exclusively from apple cider. A violation hereof is punishable by a fine of not less than \$10 nor more than \$100.

Sec. 2162. All vinegar shall be without artificial coloring matter, and shall have an acidity equivalent to the presence of not less than 4 per cent by weight of absolute acetic acid, and in case of cider vinegar shall contain in addition not less than 2 per cent by weight of cider vinegar solids upon full evaporation over boiling water. And if any vinegar contains any artificial coloring matter or less than the above amount of acidity, and in the case of cider vinegar if it contains less than the above amount of acidity or of cider vinegar solids, it shall be deemed to be adulterated within the meaning of this act. All vinegars not cider or fruit vinegars shall be without artificial coloring, nor shall they be mixed with cider or fruit vinegars, or in any manner changed to imitate a cider or fruit vinegar.

Sec. 2163. Every person making or manufacturing cider vinegar who is not a domestic manufacturer of cider vinegar shall brand on each head of the cask, barrel or keg containing such vinegar the name and residence of the manufacturer, the date when the same was manufactured, and the words "Cider Vinegar," and no vinegar shall be branded "fruit vinegar" unless the same be made wholly from apples, grapes or other fruit. Whoever violates any of the provisions of this section shall be fined for each offense not less than \$10.

Sec. 2164. (2070). Whoever kills for the purpose of sale any diseased or injured animal, or sells or has in possession with intent to sell the meat of any such diseased or injured animal, shall be fined not more than \$500 nor less than \$50, to which may be added imprisonment in the county jail not more than six months.

Sec. 2165. Whoever knowingly sells to any person, or sells or brings to any cheese or butter factory to be manufactured any milk diluted with water, or in any way adulterated, or milk from which any cream has been taken, or milk commonly known as "skimmed milk," or shall keep back any part of the milk known as "stripings," with intent to defraud, or knowingly sell any milk the product of a diseased or injured animal, or milk produced from any cow

fed upon the refuse of any distillery or brewery, or upon any substance deleterious to the quality of the milk, or knowingly use any poisonous or deleterious matter in the manufacture of any cheese or butter, or knowingly sell or offer to sell milk or butter in the manufacture of which any poisonous or deleterious substance has been used, shall be fined not more than \$500 nor less than \$50.

Sec. 2165a. It is unlawful for any person to sell or have in possession for sale any article of food or any compound, substance or preparation used as a food, or intended to be used as a food, or used or intended to be used as any ingredient of any food, or intended to be used in the preparation of any food or food product, containing any formaldehyde or antiseptic injurious to health, or arsenic.

Sec. 2165b. Any person violating the provisions of this act shall be fined \$100, to be recovered in a civil action upon the prosecution of any citizen of the State of Indiana in the name of the State of Indiana on the relation of such citizen, one-half of which \$100 shall go to the citizen prosecuting such action and the remainder to the county in which such proceedings are had for the benefit of the common schools.

Sec. 2166. (2072). Whoever adulterates any wine made or juice expressed from grapes by mixing therewith any drugs, chemicals, cider, whiskey or other liquor, and whoever sells any such adulterated wine or grape juice knowing the same to be adulterated shall be fined not more than \$100 nor less than \$10.

Sec. 2167. (2073). Whoever adulterates any spirituous, malt or other intoxicating liquor by the admixture of any deleterious substance therewith, or knowingly sells or offers for sale any such liquors which have been so adulterated, shall be fined not more than \$100 nor less than \$10.

Sec. 2168. (2074). Whoever uses any active poison in the manufacture or preparation of any intoxicating liquors, or knowingly sells or offers for sale in any quantity any intoxicating liquor so adulterated, manufactured or prepared, shall be imprisoned in the state prison not more than seven years nor less than one year and fined not exceeding \$500.

Sec. 7015. The Board of County Commissioners in any county may appoint inspectors to serve during four years unless sooner removed by said Board, to inspect within said county when required the following articles: Salt, pork, flour and hay.

Sec. 7016. All barrels, hogsheads, and bales inspected shall be branded with the name of the inspector and his residence.

Sec. 7017. An inspector of salt shall brand

on one end of the barrel the quality, whether first, second, or third rate, also the weight, specifying gross, tare and net.

Sec. 7018. The weight of flour in any barrel shall be 196 pounds. It shall be examined with a three-fourth-inch barrel auger, and shall be marked of three qualities, the first to be branded superfine, the second, fine, and the third coarse.

Sec. 7019. The weight of beef or pork in any barrel shall be 200 pounds. According to the quality and usages of the trade beef shall be branded "Mess Beef" and "Prime Beef" and pork shall be branded "Mess Pork," "Prime Pork" and "Cargo Pork."

Sec. 7020. All flour, beef or pork found musty, sour, tainted or otherwise unfit for market shall be branded with the word "Condemned."

Sec. 7025. The inspector shall receive whether the article inspected be passed or not the following fees: For each barrel of salt two cents, for each barrel of beef or pork 35 cents, for each barrel of flour 3 cents.

RULES AND STANDARDS ESTABLISHED BY THE STATE BOARD OF HEALTH.

The Supreme Court has decided these rules "have the full force of law."

MILK.

Rule 1. Pure cows' milk shall have the following minimum composition: Fat, three per cent; solids, not fat, nine per cent.

Rule 2. Water existing in cows' milk in excess of 88 per cent shall be an adulteration. Any coloring matter added, for any purpose whatsoever shall be an adulteration. Any chemical antiseptic whatever, added for any purpose whatsoever, shall be an adulteration.

Rule 3. Milk sold or offered for human consumption that is taken from a cow that has calved within four days, or from a cow that will come in or calf inside of twenty-one days, is polluted, and shall be considered as adulterated.

Rule 4. Milk sold or offered for human consumption that is taken from a cow fed with damaged food or any food which will impart a disagreeable flavor, is impure, and shall be considered as adulterated.

Rule 5. Milk sold or offered for human consumption that is taken from any sick or diseased cow, or any cow that is given polluted water to drink, or which is kept under conditions contrary to the rules of the State Board of Health governing dairies, is impure, and shall be considered as adulterated.

BUTTER.

Rule 6. The word "butter" shall mean the substance usually known as butter, made ex-

clusively from milk or cream, with or without salt or coloring matter, and shall contain not less than 80 per cent of pure milk fats.

Rule 7. If any of the following named substances are found in butter, they shall be considered adulterants: Water in excess of 15 per cent; salt in excess of 6 per cent; salicylic acid, borax, boric acid, saltpeter, formaldehyde, glucose, sodium carbonate or bicarbonate, or any other added chemical, or any other fat than butter fat, any other coloring matter than is natural to butter, except annatto, saffron, safflower, turmeric and harmless coal tar colors.

MARGARINE.

Rule 8. The word "margarine" shall mean all substances, whether compounds or otherwise, prepared in imitation of butter, and whether mixed with butter or not.

Rule 9. If any of the following named substances are found in "margarine" they shall be considered adulterants: Water in excess of 15 per cent; salt in excess of 6 per cent; glucose, paraffine, salicylic acid, borax, boric acid, saltpeter, formaldehyde, sodium carbonate or bicarbonate, or any chemical preservative. Any coloring matter or mixture of coloring matters other than annatto, saffron, safflower and turmeric and other harmless vegetable colors, and the harmless coal tar colors, shall be considered adulterants.

CHEESE.

Rule 10. Cheese not made wholly from milk or cream, salt and harmless coloring matter shall be considered adulterated.

Rule 11. Cheese containing less than 10 per cent of milk fats shall be considered adulterated unless plainly labeled "skim milk cheese" in letters not less than one inch long, the label to be plainly exposed.

Rule 12. Cheese containing any other fats than milk fats shall be considered adulterated unless plainly labeled "Filled cheese."

Rule 13. Cheese containing any coloring matter other than annatto, safflower, saffron, turmeric or harmless coal tar colors, shall be considered as adulterated.

Rule 14. Cheese containing any chemical antiseptic other than common salt shall be considered as adulterated, unless plainly labeled with the name of the antiseptic it contains.

Rule 15. Any article of food, as catsup, mince meat, canned meats or fish, canned vegetables, canned soups, canned fruits, molasses or syrups, which are found to be preserved by or to contain salicylic acid, benzoic acid, boracic acid, formaldehyde, or any of their compounds or any other antiseptic, shall be considered as adulterated unless the article of food so preserved is plainly labeled with the name of the preservative or antiseptic added. The label an-

nouncing any article of food, of the class in this rule named, as preserved with any antiseptic shall be printed in plain type, either upon the original or a separate label, and it shall be firmly and securely attached on the exterior of the package, and in plain sight. This rule shall be in force and take effect October 1, 1900.

Rule 16. Coffee—Any article offered for sale as coffee, which contains any substitute for the coffee bean in any proportion, shall be considered as adulterated unless the quantity and kind of such substitute is given as part of the label.

Rule 17. Candy—Any candy containing terra alba, barytes, talc or other mineral substance or poisonous colors or flavors, or any ingredient deleterious to health, shall be considered as adulterated.

Rule 18. Cider—Cider is the unfermented juice of the apple. Any substitute for apple juice or any antiseptic added constitutes an adulteration, and such adulterated cider shall not be offered for sale unless each package is labeled and the name of the adulterant is made a part of the label.

Rule 19. Flour—Flour is defined as the fine and bolted meal of the wheat grain. Any flour that is mixed with the product of any grain except wheat, or is mixed with any mineral substance, shall be considered as adulterated, unless each package is labeled and the kind and the amount of the admixture is made part of the label.

Rule 20. Buckwheat and Rye Flour—Buckwheat and rye flour must be derived wholly from grains designated in the name, and any admixture of other flours or materials constitutes an adulteration, unless each package is labeled and the kind and amount of such admixture is made part of the label.

Rule 21. Fruit jellies, fruit butters, preserves, canned fruits, fruit conserves, confections, fruit juices and syrups, etc., must consist of the fruit specified in the label, preserved only with cane sugar (sucrose), and must not contain artificial flavors, coloring matters or antiseptics. If such articles contain any substitute for the fruit, or any inferior material to make up bulk or weight, any glucose or other substitute for sugar, any artificial flavor, color or antiseptic, or any substance not naturally occurring in such fruits, except spices or other wholesome natural flavoring materials, they shall be considered adulterated and shall not be offered for sale unless the presence of all such substances is clearly indicated by the label. This rule shall be in force and take effect October 1, 1900.

Rule 22. Honey—Honey is the nectar of flowers and other saccharine exudations of

plants gathered by bees. Honey made by feeding bees glucose, sugar, invert sugar or other saccharine substance, is declared not to be pure honey, and, therefore, is adulterated. Adding sugar, invert sugar or glucose to honey constitutes an adulteration, and such adulterated honey shall not be sold unless the quantity and name of the adulterant is made part of the label.

Rule 23. Lard—Lard is the fat of swine, the fat being melted and separated from the flesh. Adding beef fat or stearine cotton seed oil, paraffine or other substitute for swine fat constitutes an adulteration, and such adulterated lard shall not be sold unless labeled and the quantity and name of the adulterant is made part of the label.

Rule 24. Molasses and Syrups—All molasses and syrups are assumed to be made from the juice of cane or other sugar-producing plant, or the sap of the maple tree, and any syrup or molasses containing starch sugar, glucose or corn syrup shall be considered adulterated, and any substance sold or offered for sale as "maple sugar or syrup" that shall contain any brown sugar, granulated sugar or loaf sugar or colored or flavored with decoction of hickory bark, corncobs or any other similar substances, shall be considered adulterated, unless the label plainly indicates the substances used.

Rule 25. Olive oil is the expressed oil of the olive. The substitution of other oils or fats for olive oil, either in part or whole, constitutes an adulteration, and such adulterated oil shall not be offered for sale unless labeled with the amount and kind of the adulterant.

Rule 26. Spices, mustard, pepper, etc., must not contain any foreign substances or coloring matter, introduced to dilute or cheapen the article, and any such admixture constitutes an adulteration, and shall not be sold unless its kind and amount are indicated on the label.

Rule 27. Tea—Tea consists of the dried leaves of the true tea plant, without addition of artificial coloring matter, or filler, or extraction of any essential properties, and any article offered as tea which does not conform to this definition is considered adulterated, and

shall not be offered for sale unless its true composition is given as part of the label.

Rule 28. Vinegar—Standard vinegar is a vinegar made from the juice of the apple, containing not less than 2 per cent of apple solids and 4 per cent acetic acid. All vinegars labeled "apple," "cider," "fruit" or "orchard" vinegars are assumed under the law to be standard vinegars. Vinegars not made of the juice of the apple must be labeled truly of what they are made, as "malt vinegar," "distilled vinegar" or "wine vinegar." Otherwise they are to be considered adulterated. If artificial coloring matter is used this must be stated on each and every label. Vinegars to which other acids than acetic acid have been added are adulterated. Vinegars containing less than 4 per cent absolute acetic acid may be sold, provided the percentage of acetic acid is made part of the label.

Rule 29. Baking Powder—It shall be unlawful for any unwholesome or deleterious baking powder to be sold or offered for sale within the State of Indiana.

Rule 30.—Wine, Brandies, Whiskeys—The standards and methods of examination of the United States Pharmacopoeia governing wines, brandies and whiskeys shall be the standards and methods of examination of wines, brandies and whiskies in the State of Indiana.

Rule 31. Food inspectors, when securing samples of food or drugs for analysis, shall, if the quantity procured be sufficient in amount, divide said sample into three equal parts, marking each one with date of collection, name and residence of vendor, name and residence of inspector, and shall number the several portions, one, two, three. No. 1 shall be left with the vendor, No. 2 retained by the inspector and No. 3 reserved for or sent to the chemist selected to make the analysis. All these samples or portions shall be so sealed as to show upon sight any breaking of said seal.

Rule 32. Whoever violates any of the provisions of these rules shall, upon conviction, be fined in any sum not exceeding one hundred dollars, as provided in section 2, chapter 121, of an act approved February 28, 1899.

THE INDIAN TERRITORY.

The Indian Territory has no direct laws on the subject of the adulteration of articles of food, drink, drugs, etc. Nor has this territory any department with supervisory powers over such articles.

Pure Food Products

You know they are pure because you know what they are made of.



FRIENDS' OATS
In Packages Only.

Friends' Oats

Just What the Name Indicates.

A Combination of PURITY and CLEANLINESS.

No Hulls!!!

No Black Specks!!!

Just the broad, flaky parts of the **Best White Oats**,
raised in the greatest oat State in the Union—IOWA.

Friends' Oats WILL INTEREST
THE GROCER

FIRST—Because they are **Pure**.

SECOND—Because the **Premiums** given the **consumer** in exchange for **Trade Marks** create a quick demand; and

THIRD—Because, in addition to a larger margin of profit than is usual on advertised rolled oats, we also give premiums to the grocer.

Write us for particulars and prices.

THE GREAT WESTERN CEREAL CO.
CHICAGO, U. S. A.

WE ALSO MANUFACTURE THE FOLLOWING BRANDS OF CEREALS, ETC., ALL OF WHICH ARE GUARANTEED ABSOLUTELY PURE AND OF THE BEST QUALITY.

Oat Goods, Cases.

Mothers Oats...	Cases 36—2
Friends Oats...	" 36—2
Royal Seal Oats...	" 36—2 tins
Quail Oats...	" 36—2
Hawkeye Oats...	" 36—2
Battle Ax...	" 36—2
Bonnie Oats...	" 36—2
Vassar Oats...	" 36—2
Yankee Oats...	" 36—2
Queen Oats...	" 36—2
Akronia Oats...	" 60—pk.
Tiptop Oats...	" 36—pk.
Union Oats...	" 20—5
Wahkonza Oats...	" 20—5
Mother's Parched Oatmeal...	" 24—3

Wheat Goods, Cases.

Good Morning Breakfast Food	36—2
Mother's Wheat Flakes	24—2
Akron Farina	24—1
Sioux Pan Cake Flour	36—2
Sioux Pan Cake Flour	12—6
Sioux Buckwheat Flour	36—2

Oat Goods, Bbls.

Akron White Flaked Oatsbbls.
" A, B & C Steel Cut Oatmeal	.. "
S. S. (Stein & Sawyer) Rolled Oats	.. "
S. S. " A, B & C Oatmeal	.. "
S. & M. (Peoria Mills) Rolled Oats	.. "
S. & M. " " A, B & C Oatmeal	.. "
Lakeside Rolled Oats "
Woodstock A, B & C Oatmeal "
Yankee Rolled Oats "
Yankee Oatmeal, A, B & C "

Corn Goods, Bbls.

Royal Cornmeal (Yell. Gran.) "
Sunshine Cornmeal (Yell. Gran.) "
Premium Cornmeal (Yell. Bolted)	.. "



MR. B. P. NORTON,
Dairy Commissioner, Iowa.



H. R. WRIGHT,
Deputy Dairy Commissioner, Iowa.



H. J. EVANS,
Assistant Dairy Commissioner, Iowa.

THE IOWA DAIRY COMMISSION.

THE DAIRY LAWS OF IOWA.

The Pure Food Laws of this state are limited, as in many other states, to the control of the manufacture and sale of only a few articles of food. These are principally the products of the dairy. The laws are administered by a Dairy Commissioner and assistants.

The Iowa Dairy Commission consists of:

B. P. Norton, Dairy Commissioner.

H. R. Wright, Deputy Dairy Commissioner.

H. J. Evans, Assistant Dairy Commissioner.

A DIGEST OF THE LAWS WHICH IT IS THEIR DUTY TO ENFORCE IS AS FOLLOWS:

Sec. 2515. The governor shall appoint a Dairy Commissioner on or before the first day of April of each even numbered year. He shall have practical knowledge of the manufacture of dairy products, and hold his office subject to removal by the governor. He shall give bond in the sum of \$10,000. He shall keep on hand a supply of standard test tubes and bottles and milk measures, or pipettes, adapted for use by each milk testing machine, the manufacturer or seller of which shall file with the commissioner a certificate from the director of the Iowa Agricultural Experiment Station, which shall certify that said milk testing machine when properly and correctly operated will produce accurate measures of butter fat, and he shall furnish to any person desiring the same for testing milk one such tube or bottle, such milk measure or pipette for each factory to be of the kind adapted for the machine operated therein, to be furnished by the commissioner upon request, certifying it to be accurate, reliable and standard, and placing therein the letters "D. C." as a permanent mark; the tubes and bottles and pipettes to be furnished at the actual cost thereof. He shall preserve the correspondence, records and property of the state pertaining to his office. The commissioner and his deputy shall be entitled to necessary traveling expenses. During his term of office he shall hold no other official position. He shall make annual reports to the governor. He shall have power to subpoena witnesses and examine them under oath by him to be administered, such witnesses to be allowed fees as in justices' courts, to be paid by the commissioner as part of the expenses of his office.

Sec. 2516. Every article, substitute or compound except that produced from pure milk or cream from milk of cows, made in semblance of butter, is imitation butter; and every article, substitute or compound except that produced from pure milk or cream from milk of cows,

made in semblance of cheese, is imitation cheese. Prohibits the manufacture or sale or delivery of imitation butter or cheese except as in this chapter provided.

Sec. 2517. A substitute for butter or cheese not having a yellow color, nor colored in imitation thereof, as prohibited in the next section may be manufactured, sold or consigned if each tub, firkin or other package shall have branded, stamped or marked on the side or top thereof in the English language in a durable manner the words "substitute for butter," or "substitute for cheese," as the case may be, the letters to be not less than one inch in length by one-half inch in width. Prohibits the defacing, erasure or canceling of such brand or mark with intent to deceive. Said substitute for butter or cheese may be kept and served as food and for cooking in hotels, restaurants, lunch counters, boarding houses, and other places of public entertainment, only in case the proprietor thereof shall display and keep constantly posted a card where the guests and others are served with said food, which card shall be white and at least 10 by 14 inches in size, and the words "substitute for butter used here," or "substitute for cheese used here," as the case may be, shall be printed therein in black Roman letters of the same size as herein required to be placed upon tubs, firkins or other packages in which substitutes for butter or substitutes for cheese are kept, and no other words shall be printed thereon. No substitute for butter or cheese shall be sold in the manufacturer's original package for true butter or cheese, unless the producer at the time of purchase was informed of the true character of the article, and furnished with a printed statement in prominent type in the English language that the article sold is a substitute, and giving the name and place of business of the maker. The transportation of imitation butter and cheese through and across the state is not prohibited.

Sec. 2518. Prohibits coloring of any substance intended as a substitute for butter or cheese, so as to cause it to resemble true dairy products, or combining any animal fat, vegetable oil or other substance with butter or cheese for the purpose of imparting to the compound the color of yellow butter or cheese, and prohibits the sale or soliciting orders for the delivery, or the keeping for sale, of any such substance so colored as aforesaid; the use of salt, rennet and harmless coloring matter in making butter or cheese from pure milk or cream is not prohibited.

Sec. 2519. Prohibits the possession or control, except for family consumption, of any substance as a substitute for butter or cheese unless marked as required in this act. Presumes that any person having such substance in his possession or control unless so marked shall know its true character and name.

Sec. 2520. Contracts made in violation of this act are invalid.

Sec. 2521. Whoever shall have in possession or control any imitation butter or cheese or substitute therefor shall be held to intend to use the same as the means of committing an offense, and shall be subject to a search warrant, and the officer serving the search warrant shall deliver to the Dairy Commissioner a sample of each article seized for the purpose of having same analyzed. If the sample is found to be imitation butter or cheese it shall be returned to and retained by the magistrate for the purposes contemplated in the chapter on "search warrants and proceedings thereon," but if not so found the value of the same shall be paid by the Dairy Commissioner as part of the expenses of his office to the person from whom taken.

Sec. 2522. Every city milk dealer, or every person furnishing milk or cream to such dealer, or person operating a creamery, cheese factory or condensed milk factory, or re-working or packing butter, shall maintain his premises and utensils in a clean and hygienic condition, and shall make, upon blanks furnished by the Dairy Commissioner, such reports and statistics as may be required by the commissioner.

Sec. 2523. Milk tests. Every person operating a creamery or cheese or condensed milk factory and using a chemical test to determine the quantity of butter fat in milk purchased or received shall use such tests so as they shall be free from oil and free from any foreign substance, and produce correct measurements of butter fat; and such person shall procure from the Dairy Commissioner for each factory one standard tube or bottle, and one standard measure or pipette, for testing milk, which shall be kept for inspection by the patrons. The burden of establishing the use of reliable tests and the results therefrom shall be upon the operator in any action under this chapter.

Sec. 2524. The commissioner may appoint agents in cities of over 10,000 inhabitants to collect from dealers four times a month samples so received and make record thereof with the name and location of the person from whom it was obtained, and report his work in detail to the commissioner at a compensation not to exceed \$3 per day.

Sec. 2525. Any person who shall sell milk

or cream from a wagon, depot or store, or deliver milk to an hotel or restaurant or boarding house, or any public place, shall be considered a city milk dealer. He shall not sell without a written permit from the commissioner for each wagon, depot or store operated by him, for which he shall annually pay \$1. Permits expire on the 4th day of July of each year.

Sec. 2526. Said commissioner and his agents may open any can or vessel containing milk or cream and inspect its contents and take samples for analysis. And any city milk dealer or his employe resisting or interfering with the commissioner in the performance of his duties is guilty of a misdemeanor and punished as provided in this chapter.

Sec. 2527. Whoever shall violate any of the provisions of this chapter shall be punished by a fine not exceeding \$500, or by imprisonment in the county jail not exceeding six months, or both.

Sec. 2528. The commissioner shall be allowed postage, stationery and office supplies, and an annual salary of \$1,500 and expenses. Said expenses shall not exceed \$3,000 per year. The salary of the clerk shall be paid in the same manner as that of the commissioner.

IMPURE OR SKIMMED MILK.

Sec. 4989. If any person sell or exchange or deliver for domestic or potable use or to be converted into any article of human food any unclean, impure, adulterated, unwholesome or skimmed milk or cream, from which has been held back strippings, or milk taken from an animal having a disease, sickness, ulcers, abscess or running sores, or which has been taken from an animal within fifteen days before or five days after parturition, or if any person shall stable milk cows in an unhealthy place or crowded manner, or feed them food which produces impure or unwholesome milk, or feed them distilled glucose, or brewery wastes, or upon any substance in a state of putrefaction or rottenness or of an unhealthy nature, or shall sell cream taken from such milk, or shall sell as cream an article which shall contain less than the amount of butter fat as prescribed in this chapter; or shall sell any cheese manufactured from skimmed milk without being plainly branded, stamped or marked on the top and sides of said cheese and package containing same in a durable manner, in the English language the words "skimmed milk cheese," the letters to be not less than one inch in height and one-half inch in width, shall be fined not less than \$25 nor more than \$100, and be liable to double damages to the person or persons upon whom such fraud shall be committed; the provisions of this section, however, shall not apply

to skimmed milk when sold as such as prescribed in the chapter.

Sec. 4990. The addition of water or any substance or thing to whole milk or skimmed milk is hereby declared an adulteration, and milk obtained from animals fed upon waste as defined in this chapter is declared to be impure and unwholesome, and milk proved by any re-

liable method of analysis to contain less than twelve and one-half per cent of milk solids to the hundred pounds of milk, or than three pounds of butter fat to the hundred pounds of milk, shall be regarded as skimmed or partially skimmed milk, and any article not containing fifteen per cent or more of butter fat shall not be regarded as cream.

PURE FOOD LAWS OF KANSAS.

The State of Kansas has no Food or Dairy Commission and no department of state is specifically charged with the enforcement of the laws against the adulteration of dairy and food products, but they are left to be enforced in like manner as the laws against other misdemeanors, and may be invoked by any citizen of the state, police officer or other authorities.

A digest of the laws on this subject is as follows:

CHAPTER 31, ARTICLE II.

Sec. 2317. Whoever knowingly sells, supplies or brings to be manufactured to any cheese manufactory in the state any milk diluted with water, or in any way adulterated, or milk from which any cream has been taken, commonly known as skim milk, or keeps back any part of the milk known as "strippings," or brings or supplies milk to any cheese manufactory that is tainted or partly sour from want of proper care in keeping pails, etc., clean and sweet, after being notified of the same; or any cheese manufacturer who shall knowingly use or cause to be used for his own benefit any cream from milk brought to said cheese or butter manufactory without the consent of the owner thereof, shall for each and every offense forfeit and pay a sum not less than \$25 nor more than \$100, with costs, to be recovered in a criminal action.

ADULTERATED CHEESE AND MILK.

Sec. 2318. Provides that whoever knowingly sells to any person, or sells, delivers or brings to be manufactured to any cheese or butter manufactory in the state, any milk diluted with water or otherwise adulterated, or milk from which any cream has been taken, or milk commonly known as skimmed milk, or shall keep back any part commonly known as "strippings" with intent to defraud, or knowingly sell milk the product of a diseased animal, or knowingly use any poison or deleterious material in the manufacture of cheese or butter, shall upon conviction be fined not less than \$25 nor more than \$100 and shall be liable in double the amount of damages to the firm, person or corporation so defrauded.

ADULTERATED VINEGAR.

Sec. 2319. Every person who manufactures or exposes for sale as cider vinegar any vinegar not the product of pure apple juice, known as apple cider, or vinegar not made exclusively of apple cider, or into which any deleterious substance, drug or acid has been introduced, shall for each offense be punished by a fine not less than \$50 nor more than \$100.

Sec. 2320. Every person who manufactures, sells or offers for sale any vinegar which contains any preparation of lead, copper, sulphuric acid or other ingredient injurious to health, shall for each offense be punished by a fine not less than \$50 nor more than \$100.

Sec. 2321. The provisions of sections 1 and 2 shall apply to all preparations of vegetables, fruits or other products in which vinegar is one of the principal ingredients.

Sec. 2322. Every person making or manufacturing cider vinegar shall brand on the head of the cask, barrel or keg containing such cider vinegar the name and residence of the manufacturer, and the words "cider vinegar"; and any manufacturer or person who brands any cask, keg or other vessel with the name of cider vinegar which contains any other liquid than pure cider vinegar shall be fined not less than \$50 nor more than \$100 for each barrel, keg, cask or other vessel so branded.

FOODS AND DRUGS.

Sec. 2323. Provides that no person shall manufacture for sale, offer for sale or sell any drug or article of food which is adulterated within the meaning of this act.

Sec. 2324. The term "drug" as used in this act shall include all medicine for internal and external use, antiseptics, disinfectants and cosmetics. The term "food" as used herein shall include all articles used for food or drink by man, whether simple, mixed or compound.

Sec. 2325. An article shall be deemed to be adulterated within the meaning of this act: First, in the case of drugs, if, when sold under or by a name recognized in the United States Pharmacopoeia it differs materially from the standard of strength, quality or power laid down therein; second, if, when sold under or by

a name not recognized in the United States Pharmacopoeia, but found in some other standard work on materia medica, it differs materially from the standard of strength, quality or purity laid down in such work; third, if its strength, quality or purity falls below the professed standard under which it is sold.

In the case of food: First, if any substance or substances have been mixed with it so as to lower or depreciate or injuriously effect its quality, strength or power; second, if any inferior or cheaper substance has been substituted wholly or in part for it; third, if any valuable or necessary constituent or ingredient has been wholly or in part abstracted from it; fourth, if it is an imitation of or sold under the name of another article; fifth, if it consists wholly or in part of a diseased, decomposed, putrid, infected, tainted or rotten animal or vegetable substance or article, whether manufactured or not, and in the case of milk, if it is the product of a diseased animal; sixth, if it is colored, coated, polished or powdered whereby damage or inferiority is concealed, or if by any means it is made to appear better or of greater value than it really is; seventh, if it contains any added substance or ingredient which is injurious to health, or any deleterious substance not a necessary ingredient of its manufacture. Provided, that the provisions of this act shall not apply to mixtures or compounds recognized as ordinary articles of food, if the same be distinctly labeled as mixtures and compounds and not injurious to health, and contain no ingredients unnecessary to the preparation of the genuine article of such mixtures or compounds, and from which no necessary ingredient in its preparation is eliminated.

Sec. 2326. Every person manufacturing, offering or exposing for sale, or delivering to a purchaser, any drug or article included in this act, shall furnish such person demanding same

who shall tender him the value thereof a sample sufficient for analysis of any drug or article of food which is in his possession.

Sec. 2327. Whoever refuses to comply with the requirements of section 4 hereof shall be guilty of a misdemeanor and fined not exceeding \$100 nor less than \$25, or imprisoned not exceeding 100 days nor less than 30 days, or both. Any person found guilty of manufacturing, offering for sale, or selling any adulterated article of food or drug under the provisions of this act, shall pay in addition to the penalties provided the necessary costs and expenses of inspection and analysis of such adulterated article offered for sale or sold.

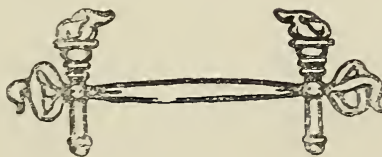
ARTICLE 9.

ADULTERATED PROVISIONS.

Sec. 2277. If any person shall knowingly sell any kind of diseased, corrupted or unwholesome provisions, whether for meat or drink without making same fully known to the buyer, he shall be punished by imprisonment in the county jail not more than six months or fined not exceeding \$100.

Sec. 2278. If any person shall fraudulently adulterate for the purpose of sale any substance intended for food, or any wine, spirit, malt liquor or liquor intended for drinking, with any substance injurious to health, he shall be punished by imprisonment in the county jail not more than one year, or fined not exceeding \$300, and such adulterated article shall be forfeited and destroyed.

Sec. 2279. If any person shall fraudulently adulterate for the purpose of sale any drug or medicine in such a manner as to render the same injurious to health he shall be punished by imprisonment in the county jail not more than one year or fined not exceeding \$300, and such drug or medicine shall be forfeited and destroyed.



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HON. M. A. SCOVELL
Director



R. M. ALLEN
Secretary of Food Division



J. O. LA BACH
Chemist

KENTUCKY FOOD DIVISION—AGRICULTURAL EXPERIMENT
STATION

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NEW YORK, N. Y.

KENTUCKY PURE FOOD LAWS

The Pure Food Laws of Kentucky are administered by the Agricultural Experiment Station of the State College of Kentucky. This is in charge of a director whose duty it is to see that the Pure Food Law of the state is enforced. The Pure Food division of this department consists of the following members:

M. A. ScovellDirector.
R. M. AllenSecretary
J. O. LaBachChemist.

FOOD LAWS.

CHAPTER 13.

AN ACT TO AMEND AN ACT OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF KENTUCKY, ENTITLED AN ACT REGULATING THE SALE OF FOOD, WHICH BECAME A LAW JUNE 13, 1898.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

First. That the statute mentioned in the title of this act and being an act regulating the sale and manufacture of food, which became a law on June 13, 1898, be, and the same is hereby repealed, and in lieu thereof, the following is enacted:

Section 1. It shall be unlawful for any person, persons or corporation within this state to manufacture for sale, or expose for sale, or have in his or their possession for sale, or to sell any article of food which is adulterated or misbranded within the meaning of this act; and any person, persons or corporation, who shall manufacture for sale, expose for sale, or have in his possession for sale, or sell any article of food which is adulterated or misbranded in violation of this act, shall be fined not to exceed \$100, or be imprisoned for not more than fifty days, or both such fine and imprisonment.

Sec. 2. The term food, as used in this act, shall include every article used for, or entering into the composition of, food or drink of man or domestic animals, except spirituous, vinous or malt liquors.

The term misbranded, as used in this act, shall include every article of food, and every article which enters into the composition of food, the package or label of which shall bear any statement purporting to name any ingredient or substance as not being contained in such article which statement shall be untrue in any particular; or any statement purporting to name the substance or substances of which such article is made, which statement shall not give fully the names of all substances contained in such articles in any measurable quantity.

Sec. 3. For the purpose of this act, an article shall be deemed adulterated:

First. If any substance or substances be mixed or packed with it so as to reduce or lower or injuriously affect its quality or strength.

Second. If any inferior substance or substances be substituted wholly or in part for the article.

Third. If any valuable constituent of the article has been wholly or in part abstracted.

Fourth. If it be an imitation, or sold under the name of another article; provided that nothing in this act shall be construed to prohibit the manufacture or sale of oleomargarine, butterine, or kindred compounds in a separate and distinct form, and in such manner as will advise the consumer of its real character, free from coloration or ingredient that causes it to look like butter.

Fifth. If it is colored, coated, polished or powdered, whereby damage is concealed, or if it is made to appear better or of greater value than it is.

Sixth. If it contains poisonous ingredients which may render such article injurious to the health of the party consuming it, or if it contains any antiseptic or preservative not evident or not known to the purchaser or consumer.

Seventh. If it consists in whole or in part of a diseased, filthy or decomposed or putrid substance, either animal or vegetable, unfit for food, whether manufactured or not, or if it is in any part the product of a diseased animal, or of any animal that has died otherwise than by slaughter.

Eighth. If it be labeled or branded so as to deceive or mislead the purchaser, or purport to be a foreign product when not so, or is an imitation either in package or label of any other substance of a previously established name.

Provided, That any articles of food which are adulterated or misbranded within the meaning of this act, but which do not contain any added poisonous or deleterious ingredient, may be manufactured or sold if the same shall be plainly labeled "adulterated," or labeled, branded or tagged so as to show the exact character thereof.

Provided, further, That nothing in this act shall be so construed as requiring or compelling proprietors or manufacturers or sellers of proprietary foods which contain no unwholesome substances to disclose their trade formulas, except so far as the provisions of this act require to secure freedom from adulteration or imitation, but in the case of baking powders every can or other package shall be labeled so as to

show clearly what acid salt has been used in making the same.

Provided, further, That no dealer shall be convicted under the provisions of this act when he can establish a written guaranty of purity in a form approved by the director of the Kentucky Agricultural Experiment station, signed by the wholesaler, jobber, manufacturer or other party from whom he purchased said articles, and provided he establishes that such guarantor or guarantors reside in the State of Kentucky. But said guaranty to afford protection shall contain the full name and address of the party or parties making the sale of such article to such dealer.

Sec. 4. The director of the Kentucky Agricultural Experiment station shall make or cause to be made examinations of samples of food manufactured or on sale in Kentucky at such time and place and to such extent as he may determine. He shall also make or cause to be made analyses of all food products which the State Board of Health may suspect of being injurious to health, and of any sample of food furnished by any commonwealth's, county or city attorney of this commonwealth. And the said director may appoint such agent or agents as he may deem necessary, who shall have free access at all reasonable hours for the purpose of examining into places wherein it is suspected any adulterated article or food exists, and such agent or agents upon tendering the market price of such articles, may take from any person, firm or corporation, samples of any articles suspected of being adulterated or misbranded. The director of said station is hereby empowered to adopt and fix standards of purity, quality or strength, when such standards are not specified or fixed by statute.

Sec. 5. Whenever any sample shall have been examined and found to be adulterated or misbranded in violation of this act, the director shall certify the facts to the commonwealth's attorney of the district, or to the county attorney of the county, or city attorney of any city or town in which the said adulterated or misbranded food product was found; together with a statement of the results of the examination of the said article of food duly authenticated by the analyst under oath and taken before some officer of this commonwealth authorized to administer an oath having a seal. And it shall be the duty of every prosecuting attorney, county attorney and city attorney to whom the director of said station shall report any violation of this act, to cause proceedings to be commenced against the party so violating the act, and the same prosecuted in manner as required by law.

Sec. 6. Said station shall make an annual report to the Governor upon adulterated food

products, in addition to the reports required by law, which shall not exceed 150 pages, and said report may be included in the report which said station is already authorized by law to make, and such annual reports shall be submitted to the General Assembly at its regular session.

Sec. 7. The said experiment station may issue at least once a year a bulletin giving the results of all analyses of samples taken under this act, together with the names of the parties from whom the samples were taken; as far as possible, the names of the manufacturers; the number of samples found to be adulterated; the number not found adulterated; and the number of adulterated samples that have been reported by the station to the different commonwealth's attorneys, county and city attorneys of the state. The edition of this bulletin shall not be less than 10,000 copies, to be distributed free to citizens of the state who may desire the same, and to other interested persons so long as the edition may last.

Sec. 8. Said experiment station shall receive five (\$5.00) dollars for the analysis of each sample taken in accordance with this act, and all necessary expenses in carrying out the provisions of this act, including expenses for procuring samples, expert witnesses attending the grand juries and courts, clerk hire and attorneys' fees; provided the total expenses from all sources shall not exceed in any one year seven thousand five hundred dollars (\$7,500). The Board of Control of said experiment station shall furnish to the auditor of public accounts an itemized statement of all the expenditures of money made under this act.

The amount of expenditures reported to the auditor shall be paid by the commonwealth to the treasurer of said experiment station, upon the written request of the Board of Control of said experiment station, and the auditor for the payment of the same, is directed to draw his warrant upon the treasurer as is the manner of the payment of other claims against the commonwealth.

Sec. 9. All fines recovered under this act shall be kept as a separate fund to pay necessary expenses in maintaining same.

Sec. 10. No civil action shall be maintained in any court in this state on account of any sale or other contract made in violation of this act.

Sec. 11. All acts and parts of acts inconsistent herewith are hereby repealed.

Approved March 17, 1900.

A digest of the Pure Food Laws of the State of Kentucky, as presented herein, is the work of Mr. M. A. Scovell, Director, and is as follows:

ADULTERATIONS.—The law provides (Sec. 3) that articles of food which are adulterated but

which do not contain any added poisonous or deleterious ingredient, may be manufactured or sold if plainly labeled "adulterated" or labeled, branded or tagged so as to show the exact character thereof. The words "mixture," "compound" or other similar expressions cannot be substituted for the word "adulterated" when the components are not given.

ANTISEPTICS. Salicylic acid, benzoic acid, boracic acid, hydrofluoric acid, sulphurous acid and their compounds, the salicylates, benzoates, borates, fluorides and sulphites; also formaldehyde or formalin and various mixtures known in the trade as "freezine," "iceine," "preservalines" of various kinds, etc., are antiseptics, and it is unlawful to sell articles of food containing them unless plainly labeled "adulterated" or the presence of the antiseptic and its kind is clearly shown on the label or made known to all purchasers, where the article is not capable of being labeled.

BAKING POWDERS.—The law requires that every can or other package of baking powder shall be labeled so as to show clearly what acid salt has been used in making the same. Baking powders, in which exsiccated alum or sulphate of alumina is used, should be labeled "alum baking powder"; those in which phosphate and alum are used should be labeled "alum phosphate baking powder"; those in which phosphate alone is used should be labeled "phosphate baking powder," and those in which cream of tartar baking powder." If the label already makes known in a conspicuous manner what acid salt has been used, the form is not essential. If the label does not give the name of the acid salt, a printed slip stating what acid salt has been used must be pasted on the label. But in any case the words "alum," "alum-phosphate," "phosphate" or "cream of tartar" must be printed in letters not smaller than brevier heavy Gothic caps and on white or light background so that the words can be easily seen.

BUTTER.—Butter should contain at least 80 per cent of pure milk fats. Butter made by the use of "black pepsin" or other substance, in order to incorporate large quantities of water and casein, is adulterated.

Where other fats or oils are substituted, in part or whole, for milk fat in butter such article cannot be sold as "butter," or "creamery butter," or "dairy butter," or any combination of words embracing the word "butter," but must be classed as "oleomargarine" or "butterine" and so plainly labeled.

Process butter or unmarketable butter that has been melted and made over is classed as adulterated butter.

CANDY.—The use of harmful coloring matters or other ingredients and the admixture of terra alba, kaolin or other mineral substances to give weight and volume to the mass, are adulterations.

CHEESE. Cheese not made wholly from milk or cream, salt, and harmless coloring matter, is considered adulterated, and must be sold as "filled cheese" or the name and amount of the adulterant must be made part of the label. Cheese made from milk from which part of the cream or fat has been taken, must be so labeled as to indicate the amount of cream or fat taken from the milk of which it was made. Cheese containing less than 10 per cent of fat must be labeled "Skim milk cheese."

CIDER.—Cider is the unfermented juice of the apple. Any substitute for apple juice, or any antiseptic added constitutes an adulteration, and such adulterated cider should not be offered for sale, unless the name of the adulterant is made part of the label.

COFFEE. Any article offered as coffee which contains any substitute for the coffee bean in any proportion is adulterated, and should not be offered for sale unless the quantity and kind of such substitute is given as part of the label.

CREAM. Cream shall be produced wholly from pure milk and free from added coloring matter, preservatives or other additions of any kind. It must contain not less than 15 per cent of milk fat.

FLOUR.—Flour is the fine and bolted meal of the wheat grain. When mixed with any material not derived from the wheat grain it is adulterated, and cannot lawfully be sold unless plainly marked "adulterated," or the kind and amount of the admixture is made a part of the label.

Buckwheat flour or rye flour must be derived wholly from the grains designated in the name, and any admixture of other flours or materials constitutes an adulteration and such mixtures cannot be lawfully sold unless plainly marked "adulterated" or the kind and amount of the admixture is made part of the label.

FRUIT JELLIES, FRUIT BUTTERS, PRESERVES, CANNED FRUITS, FRUIT CONSERVES, CONFECTI-ONS, FRUIT JUICES AND SYRUPS, ETC., must consist of the fruit specified in the label, preserved only with cane sugar (sucrose), and must not contain artificial flavors, coloring matters or antiseptics. If such articles contain any substitute for the fruit, or any inferior material to make up in bulk or weight, any glucose or other substitute for sugar, any artificial flavor or color, any starch or animal gelatine, any salicylic acid or other antiseptic, or any substance not naturally occurring in such

fruits, except spices or other wholesome, natural flavoring materials, they are adulterated, and cannot be lawfully sold, unless plainly labeled "adulterated," or the presence of all such substances is clearly indicated by the label.

Fruit preserves, jams, marmelades and butters, should not contain less than 80 per cent of total solids, 1 per cent of acid, calculated as malic, and 0.6 per cent of ash; jelly should not contain less than 65 per cent total solids, 1 per cent of acid, calculated as malic, and 0.3 per cent of ash.

GUARANTY OF PURITY.—Attention is called to the provision of section 3, sub-section 8, "that no dealer shall be convicted under the provisions of this act when he can establish a written guaranty of purity in a form approved by the Director of the Kentucky Agricultural Experiment Station, signed by the wholesaler, jobber, manufacturer or other party from whom he establishes that such guarantor or guarantors purchased said article, and provided that he reside in the state of Kentucky. But such guaranty, to afford protection, shall contain the full name and address of the party or parties making the sale of such article to such dealer."

HONEY. Honey is the nectar of flowers and other saccharine exudations of plants gathered by bees. Honey made by feeding bees glucose, sugar, invert sugar or saccharine substance, is not pure honey. Adding sugar, invert sugar or glucose to honey or substituting these materials for honey constitutes an adulteration, and such adulterated honey cannot lawfully be sold unless it is plainly marked "adulterated," or the quantity and name of the adulterant is made part of the label.

LABELING. In labeling articles to comply with the law each separate package must be labeled. For example, it will not answer to attach to a case of ketchup a label stating that it is preserved with benzoate of soda, but each bottle must bear such label.

LARD.—Lard is the fat of swine, the fat being melted and separated from the flesh. Adding beef fat or stearine, cotton seed oil, or other substitute for swine fat constitutes an adulteration and such adulterated lard cannot lawfully be sold unless it is plainly marked "adulterated," or the quantity and name of the adulterant is made part of the label. Lard must contain not less than 99 per cent of fat.

MILK.—Milk must contain at least 12 per cent of total solids and 3 per cent of fat. Milk containing less than these proportions will be considered adulterated, unless labeled or offered as "Skimmed milk," or milk below standard.

The addition of antiseptics or preservatives or coloring matter is an adulteration.

MILK FAT is the fat contained in pure milk or derived therefrom and has a Reichert-meissl number not less than 24 and a specific gravity not below .905 at 40 degrees C.

MINCE MEAT containing glucose or any inferior material added for the purpose of increasing weight or bulk or any antiseptic, is adulterated and should not be offered for sale unless plainly marked "adulterated" or its component parts given.

MOLASSES AND SYRUPS.—All molasses and syrups are assumed to be made from the juice of cane, or other sugar producing plant, or the sap of the maple tree, and any syrup or molasses containing starch, sugar, glucose, or corn syrup is considered adulterated, and should not be offered for sale unless the label indicates the presence of the same.

OLEOMARGARINE.—Oleomargarine, butterine or kindred compounds, or mixtures of these with butter, cannot lawfully be sold if colored in imitation of butter. The law does not prohibit the sale of oleomargarine, as such, if not colored to look like butter.

OLIVE OIL is the expressed oil of the olive. The substitution of other oils or fats for olive oil, either in part or whole, constitutes an adulteration, and such adulterated oil cannot lawfully be offered for sale unless plainly labeled "adulterated" or amount and kind of the adulterant is clearly shown on the label.

SPICES, MUSTARD, PEPPER, ETC., must not contain any foreign substances or coloring matter introduced to dilute or cheapen the article, and any such admixture constitutes an adulteration and cannot lawfully be sold unless plainly labeled "adulterated," or the kind and amount of admixture are indicated on the label.

TEA. Tea consists of the dried leaves of the true tea plant, without addition of artificial coloring matter, or filler, or extraction of any essential properties, and any article offered as tea which does not conform to this definition is adulterated and cannot lawfully be offered for sale unless plainly labeled "adulterated," or its true composition is given as part of the label.

VINEGAR. Standard vinegar is a vinegar made from the juice of the apple, and contains not less than one and a half per cent of apple solids and four per cent of acetic acid. All vinegars labeled "apple," "cider," or "orchard" vinegars are assumed under the law to be standard vinegars. Vinegars not made of the juice of the apple must be labeled truly of what they are made, as "malt vinegar," "distilled vinegar," or "wine vinegar." Otherwise they are to be considered adulterated. If artificial coloring

matter is used, this must be stated on each and every label. Vinegars to which other acids than acetic acid have been added are adulterated.

Vinegars containing less than four per cent of acetic acid may be sold, provided the percentage of acetic acid is made part of the label.

FORM OF PURE FOOD GUARANTY.

Approved by M. A. Scovell, the director
OF THE KENTUCKY AGRICULTURAL
EXPERIMENT STATION.

I (or we), the undersigned, resident..of the Commonwealth of Kentucky, whose name..and postoffice address..are hereto subscribed, being the (a).....of the article..hereinafter described, and being the person from whom (b), of..... Kentucky, purchased said article.., hereby undertake..and obligate.. (c)..... unto (b)..... the aforesaid purchaser, that said article..is (or are pure within the meaning of that term as used, applied and defined in the statute law of Kentucky, known as the Pure Food Law.

The said article..above referred to is (or

are) described as follows: (d).....
.....
.....
.....

(Name) (e)

(P. O. Address) (e).....

(Name)

(P. O. Address)

(Name)

(P. O. Address)

a.—Insert “wholesaler,” “jobber,” “manufacturer or other word or words aptly describing the party from whom the article or articles in question were purchased.

b.—Insert name and address of the dealer for whom the guaranty is given.

c.—The singular or plural forms should be used throughout according as the guarantors are one or more in number.

d.—Describe the articles clearly and explicitly.

e.—Write out name and postoffice address in full.

Lexington, Ky., Sept. 1, 1901.

PURE FOOD LAWS OF LOUISIANA

The State of Louisiana has no Food or Dairy Commission. The State Board of Health is charged to take cognizance of the interests of the public as it relates to the sale of food and drugs, and the adulteration of the same, and to make inquiries thereto, and to analyze any drug or article of food or drink when they deem same necessary.

The State Board of Health consists of the following members:

Dr. Edmond Souchon, President, New Orleans.

Dr. J. C. Egan, Vice-President, Shreveport.

Dr. T. T. Tarlton, member, Grand Coteau.

Dr. P. B. McCutcheon, member, New Orleans.

Dr. W. G. Owen, member, White Castle.

Dr. J. S. Stephens, member, Natchitoches.

Dr. Arthur Nolte, member, New Orleans.

A digest of the laws against the adulteration of food and dairy products is as follows:

ADULTERATION OF FOOD.

Act 20, 1880, p. 23.

Sec. 1. Provides that it is unlawful for any person to adulterate, sell, or offer for sale any article of food knowing the same to be adulterated.

Sec. 2. It is unlawful for any person to sell or offer for sale any tainted provisions or stale vegetables, or other articles of food being in a state of decomposition or unfit for food.

Sec. 3. It is unlawful for any person to slaughter for food and offer for sale any cattle,

hogs, or sheep being in an unhealthful condition.

Sec. 4. Provides it is unlawful for any person, railway, steamships, water or other craft, to discharge at any depot, wharves, or landing within the city of New Orleans, or any city in the state, or less than two miles distant therefrom, any cattle, swine or sheep forwarded through them or on their account when the same are known to be diseased.

Sec. 5. Any person or persons violating the provisions of this act shall be deemed guilty of a misdemeanor, and punished for the first offense by a fine of \$25 or three months' imprisonment, and for a subsequent offense of \$50 or not less than 6 months' imprisonment, or both.

Sec. 6. The Secretary of the State shall immediately upon passage of this act notify all sheriffs and other executive officers throughout the state to take cognizance thereof and enforce its provisions.

Sec. 7. Repeals all acts in conflict herewith.
ADULTERATION OF DRUGS, DRINKS,
ETC.

Act 82, 1882, p. 103.

Sec. 1. Provides that no person shall manufacture, have, offer for sale or sell within the state any article of food or drug which is adulterated, and provides a penalty by fine not exceeding \$50 for the first offense, and not exceeding \$100 for each subsequent offense.

Sec. 2. An article shall be deemed adulterated within the meaning of this act, in the case of drugs, if when sold under a name recognized in the United States Pharmacopœia its strength or purity fall below the standard laid down therein, or below the professed standard under which it is sold.

In the case of food, if any substance has been mixed with it so as to lower or injuriously affect its quality or strength, or if any inferior or cheaper substance has been wholly or partially substituted for the pure article, or to mix any substance with food or drink so sold, or to sell it so mixed, which by its use will affect to any extent the public health or injure the health of the consumer of said food or drink.

Sec. 3. Provides that no person shall manufacture, sell or offer for sale within this state any drug, groceries, such as sugar, coffee, tea, butter, cheese or any other article of food or drink, unless the package when sold at wholesale, or the package from which it is taken when sold at retail, be stamped in plain large letters showing the true quality and kind of the article sold within the meaning of this act. Every person violating the provisions of this section shall be deemed guilty of a misdemeanor and fined not less than \$25 nor more than \$50, or imprisonment not exceeding 10 days, or both.

Sec. 4. Provides that any person who shall knowingly sell any article of food or drink with a stamp as provided aforesaid which is not the article it purports to be, or of inferior quality, shall be guilty of a misdemeanor and fined not exceeding \$100.

DUTIES OF STATE BOARD OF HEALTH.

Sec. 5. The State Board of Health shall take cognizance of the interests of the public health as it relates to the sale of food and drugs, and the adulteration of the same, and make all necessary investigations and inquiries thereto, and at any time when in their judgment necessary they shall analyze any drug or article of food or drink, and publish the results of their analysis with the name of the article in case the same be deleterious to public health, and warn the public against its consumption.

On request of any citizen they shall analyze the article presented by him, but said citizen shall pay for such analysis such fees as the Board of Health may fix.

Sec. 6. On application of the Board of

Health or its officers every person manufacturing or selling any article of food or drug shall be bound to furnish a sample of the said article so manufactured or sold to the said board sufficient in quantity to serve the purpose of analysis, under a penalty of not more than \$25, to be recovered before any court of competent jurisdiction.

OLEOMARGARINE.

Act 81, 1886, p. 121.

Sec. 1. Provides that the sale of all substances sold as oleomargarine, butterine, bogus butter, or other material, either separately or in combination with any substance other than the product of the cow, as butter, is prohibited.

Sec. 2. Any merchant, grocer, or other person doing business in the state who shall barter, sell, handle, or give away any of the substances mentioned in the first section of this act, except when so labeled as to unmistakably indicate their true composition, shall be guilty of a violation of the first section of this act and be punished by a fine or imprisonment, or both.

Sec. 3. Repeals all laws in conflict herewith.

SALE OF GLUCOSE WITHOUT STAMP.

Act 49, 1886, p. 83.

Sec. 1. Provides that whoever shall knowingly sell or offer for sale, ship or place upon the market for sale, either by sample, hogshead, barrel, package or otherwise, any sugar or molasses adulterated with glucose or any foreign substance without branding or stamping it as such in clear, legible letters, shall be guilty of a misdemeanor and punished by imprisonment not exceeding 6 months and fined not less than \$200 nor more than \$1,000 for each offense, recoverable before any court of competent jurisdiction, one-half of the fine to the benefit of the Charitable Hospital of New Orleans.

Sec. 2. Whoever shall employ any plantation brands to sell adulterated sugar or molasses shall be guilty of a misdemeanor and punished as provided in section one of this act.

Article 297 of the Constitution of Louisiana provides, among other things, that the general assembly shall provide for the interests of the state medicine in all its departments; * * * for the protection of the people against the sale of injurious or adulterated drugs, foods and drinks, and against any and all of the general necessities of life and character.



PURE FOOD LAWS OF MAINE

The State of Maine has no Pure Food or Dairy Commission; nor is any department of state government specifically charged with the enforcement of the laws relating to the adulteration of articles of food. Such laws as its legislature has enacted to provide against the adulteration of articles of food and drink may be invoked by local boards of health. Every inspector of milk, sheriff, deputy sheriff or constable, as the case may require.

An abstract of the laws now in force in this state upon the subject of pure food is as follows:

ADULTERATED FOOD OR DRINK.

Chapter 128, Revised Statutes.

Sec. 1. Whoever sells diseased, corrupted or unwholesome provisions for food or drink, knowing them to be such, without informing the buyer, or fraudulently adulterates for the purpose of sale any substance intended for food, or any wine, spirituous or other liquors, so as to render them injurious to health, shall be punished by imprisonment for not more than five years, or by fine not exceeding \$1,000; and whoever kills or causes to be killed for the purpose of sale any calf less than four weeks old, or knowingly sells the meat of any calf killed when less than four weeks old, shall be punished by imprisonment in the jail or house of correction not exceeding 30 days, or by fine not exceeding \$50, or both, and all such meat may be seized and destroyed by any board of health officer or any sheriff, deputy sheriff, constable or police officer.

Sec. 2. When complaint is made on oath to any court or justice authorized to issue warrants in criminal cases that meat of calves killed when less than four weeks old is kept or concealed with intent to sell the same for the purpose of food, such magistrate may issue a warrant to search therefor.

OLEOMARGARINE.

Chapter 128.

Sec. 3. Whoever manufactures or sells or has in his possession for future delivery any substance or compound in imitation of yellow butter or cheese, and not made exclusively and wholly of cream or milk, or containing any fats, oils or greases not produced from milk or cream, whether named oleomargarine, butterine, or otherwise, forfeits for the first offense \$100, and for each subsequent offense \$200, to be recovered by indictment, with costs, one-third part to go to the complainant, the balance to the state. It is the duty of every in-

spector of milk, sheriff, deputy sheriff or constable, as named in section 5 of this chapter, to institute complaint against any person violating the provisions hereof.

Sec. 2. This act shall not be construed to affect any pending indictment for violation of section 3 of chapter 297 of the laws of 1885.

Sec. 5. Every inspector of milk, sheriff, deputy sheriff or constable shall institute complaint for violations of the two preceding sections whenever he has reasonable cause for suspicion, or on the information of any person who shall lay before him satisfactory evidence of the same. Said inspector or officer shall take specimens of suspected butter or cheese and cause the same to be analyzed or tested, the expense of such analysis or test, not exceeding \$20, may be included in the costs of prosecution and taxed and allowed to the officer paying the same.

Sec. 6. The terms "butter" and "cheese" mean the product usually known by those names, and which are manufactured exclusively from milk or cream, or both, with salt and rennet, and with or without coloring matter.

MOLASSES.

Sec. 7. Whoever adulterates sugar or molasses, or sells sugar or molasses adulterated with salts of tin, terra alba, glucose, dextrine, starch sugar, corn syrup, or other preparations from starch, shall be fined not exceeding \$500 or imprisoned for not more than one year.

VINEGAR.

Sec. 8. Whoever manufactures or sells, or knowingly causes to be marked or branded as cider vinegar, any vinegar not the legitimate product of pure apple juice, known as apple cider, and not made exclusively therefrom, or into which any foreign substance, drug or acid has been introduced, as appears by proper tests, shall for each offense be fined not less than \$50 nor more than \$100.

Sec. 9. Whoever manufactures or sells vinegar found upon proper tests to contain any preparations of lead, copper or sulphuric acid, or other ingredient injurious to health, shall for each offense be fined not less than \$100.

Sec. 10. The Mayor or Aldermen of a city shall, and the select men of towns may, appoint one or more persons to be inspectors of vinegar for their respective municipalities, who shall be sworn before entering upon their duties.

LARD.

Chapter 244, Freeman's Supplement.

Sec. 1. Prohibits the sale or preparation of any article intended for use as lard which con-

tains any ingredient but the pure fat of swine, or any tierce, bucket or other vessel under any wrapper or label bearing the words "pure," "refined," "family" or either of them, alone or in combination with other words, unless every vessel, wrapper or label in which such article is sold or prepared bears on the top and outside thereof in letters not less than one-half inch in length, and plainly exposed to view, the words "compound lard."

Sec. 2. Any person who violates any provision hereof shall forfeit the sum of \$50 to the use of any person suing therefor in an action of debt.

FLOUR AND WHEAT MEAL.

Chapter 257, Laws of 1899.

Sec. 1. Prohibits the sale, preparation, or delivery, of any article or substance under or by the name of wheat meal, graham meal or graham flour in imitation of pure wheat meal, and not consisting exclusively of pure wheat meal, unless every box, barrel or wrapper in or under which such article is sold, prepared or delivered bears on the top or outer side thereof, in letters not less than one-half inch in length, and plainly exposed to view, the words "compound wheat meal."

Sec. 2. Any person who violates any provision of this act shall forfeit the sum of \$50 to the use of any person suing therefor in an action of debt.

MAPLE SUGAR OR SYRUP.

Laws of 1895, Chapter 118.

Sec. 1. Prohibits the sale as maple sugar or syrup of any article made in adulteration or imitation thereof.

Sec. 2. For a violation of the foregoing section a fine of not less than \$25, or not more than \$100, or imprisonment in the county jail for 30 days, or both, is the penalty.

Sec. 3. One-half of said fine is to be paid to complainant, and balance to the county in which such case is brought.

EGGS.

Laws of 1895, Chapter 99.

Whoever sells eggs that have been in cold storage or limed or preserved in any manner, and are not what are usually denominated fresh eggs, without notice to the purchaser, and with intent to deceive, shall be punished by imprisonment not exceeding 30 days, or by fine not exceeding \$100.

REVISED STATUTES OF MAINE, CHAP.

38, AS AMENDED BY LAWS OF 1887, C. 20; 1893, C. 265; 1897, C. 292.

MILK.

Sec. 44. The municipal officers of cities and towns containing not less than three thousand inhabitants shall annually appoint, and the

municipal officers of all other towns shall on application of ten voters therein, annually appoint one or more persons to be inspectors of milk, who shall, before entering upon their duties, be sworn, and give notice of their appointment by publishing the same for two weeks in a newspaper published in their towns, if any, otherwise by posting such notice in two or more public places therein.

Sec. 45. Inspectors shall keep an office and books for the purpose of recording the names and places of business of all persons selling milk within their limits. They may enter any place where milk is kept or stored for sale, and examine all carriages used in the conveyance thereof, and when they have reason to believe any milk found therein to be adulterated they shall take specimens thereof, and cause them to be analyzed or otherwise satisfactorily tested, and they shall preserve the result as evidence. Said inspectors shall leave with the owner of the milk inspected a sealed specimen of the milk examined by them, which shall be marked in the same manner as the specimen taken at that time by said inspectors, and prosecute for all violations of the two following sections.

Sec. 46. All measures, cans or other vessels used in the sale of milk shall annually be sealed by the sealer of weights and measures, by wine measure, and shall be marked by the sealer with figures, indicating the quantity which they hold, and whoever fraudulently sells by any other measure, can or vessel, forfeits twenty dollars for each offence.

Sec. 47. Whoever, acting for himself, or as the employe of another, knowingly or wilfully sells or offers for sale, milk from cows diseased, sick or fed upon the refuse of breweries or distilleries, or upon any substance deleterious to its quality, or milk to which water or any foreign substance has been added, or sells or offers for sale as pure milk, any milk from which the cream has been taken, forfeits twenty dollars for the first, and fifty dollars for every subsequent offence, to be recovered for the town where the offence is committed by complaint and indictment. When milk shall, by the gravimetric analysis, be found to contain over 88 per cent of water, it shall be deemed prima facie evidence that said milk has been watered, and when milk, by the analysis aforesaid, shall be found to contain less than 12 per cent of solids, and less than 3 per cent of fat, it shall be deemed, prima facie, milk from which cream has been taken, and any milk which, by the analysis aforesaid, shall be found to contain any foreign substance, shall be deemed milk to which a foreign substance has been added.

LAWS OF 1895, CHAPTER 144.

Sec. 1. The owner or other person having charge of any animal or meat or milk of any animal affected with tuberculosis or other contagious or infectious disease, who, knowing that the animal is thus affected, shall hold the animal or its meat or milk, for human food, shall be liable, on conviction, to a fine of not less than five dollars nor more than fifty dollars.

PUBLIC LAWS OF MAINE, 1895, CHAPTER 71.

CANDY.

Sec. 1. No person shall, by himself, his servant, or agent of any other person or corporation, manufacture for sale, or knowingly sell or offer to sell, any candy adulterated by the admixture of terra alba, barytes, talc or any other mineral or metallic substance, or by pois-

onous colors or flavors, or containing brandy, whiskey, rum, wine or any alcoholic liquor in liquid form or other ingredients deleterious or detrimental to health.

Sec. 2. No person shall, by himself, his servant, or agent of any other person or corporation, offer for sale any candy under the name of brandy, whiskey, rum or wine drops.

Sec. 3. Whoever violates any of the provisions of this act shall be punished by a fine not exceeding one hundred dollars nor less than fifty dollars. The candy so adulterated shall be forfeited and destroyed under the direction of the court.

Sec. 4. It is hereby made the duty of the prosecuting attorneys of this state to appear for the people and to attend to the prosecution of all complaints under this act, in all the courts in their respective counties.

PURE FOOD LAWS OF MARYLAND

The laws concerning the inspection of food supplies and the sale and manufacture of articles of food and drink, with the exception of the "oleomargarine" law, and the regulation of dairies, are administered by "The State Board of Health of Maryland." This board consists of seven members, four of whom are appointed by the governor. These four, together with a secretary and the Attorney General of the state and the Commissioner of Health of the city of Baltimore, constitute the State Board of Health of Maryland. The Attorney General and the Commissioner of Health of the city of Baltimore are members *ex-officio*. Persons appointed hold office four years. The State Board of Health consists of the following members:

Dr. Wm. H. Welch, *President*.

John S. Fulton, M. D., *Secretary*.

Dr. Howard Bratton.

Mr. J. B. Noel Wyatt.

Dr. John Morris.

Dr. Jas. Bosley.

Hon. Isidor Rayner.

A digest of the laws which it is the duty of said board to enforce, with the exception of the "oleomargarine" law and dairy regulations, here follows:

INSPECTION OF FOOD AND DRINK.

ARTICLE 23, PUBLIC GENERAL LAWS, AS AMENDED BY 1890, CHAPTER 604.

48. Provides that no person shall mix, color,

paint or sophisticate any article of food or drink with other ingredients or matter, nor offer same for sale so mixed, painted, etc., unless same be manufactured or sold under its true name, and a notice that the same is mixed or impure is marked or stamped upon each package or vessel containing same so as to be at all times visible, or unless the person purchasing the same is fully informed by the dealer of the true name and ingredients of such article of food or drink.

49. Provides that no person shall mix any glucose, grape sugar, or adulterations, with syrup, honey or sugar intended for human food, or oleomargarine, suine, beef fat, lard or other foreign substance with any butter or cheese intended for human food; nor mix any glucose, grape sugar, oleomargarine or adulterant with any article of food or dietetics without stamping or labeling the article or package containing same with the true name of such adulterant and the percentage in which it is used for the purpose of adulteration; prohibits the sale of any article of food or drink or dietetic in any-wise adulterated without informing the buyer of the fact and proportion of the adulterant; *provided*, this section shall not prohibit the use of glucose or grape sugar in the manufacture of candy.

50. No person shall adulterate or sophisticate any wine, vinegar, spirituous or malt liquors used or intended for drink or dietetic pur-

poses by mixing the same with any adulterous drug or substance or liquid injurious to health; prohibits the sale or importation of any wine, vinegar, spirits or malt liquor intended to be used for drink knowing the same to be adulterated.

51. If any person shall fraudulently adulterate any substance intended for food of man, or any wine, vinegar, spirits, malt liquor or liquor intended for drink, he shall be punished by imprisonment in the county jail not longer than one year, or by fine not exceeding \$500.

52. Prohibits the sale of diseased, corrupt or unwholesome provisions, such as poultry, game, flesh or preparations thereof, fruits, vegetables, bread, flour, meal, milk or other things intended to be used as human food; and provides a punishment for the violation hereof by imprisonment in the county jail not more than one year, or fine not exceeding \$500, or both; the unwholesome provisions shall be forfeited and destroyed under this section and under section 51; *provided*, this section shall not apply to shippers or consignors of green fruits and vegetables spoiled in transitu.

53. The State Board of Health is charged with the duty of rendering effective the provisions of this act, and it shall have suspected articles analyzed or tested.

54. Whenever said board or its proper officers shall be satisfied that any article of food or drink has been adulterated, or is unsound or adulterated, it shall forbid the sale thereof for human food and order it destroyed, and the person refusing or neglecting to destroy such unsound or unwholesome article shall be liable to the penalty imposed under the provisions of section 52 hereof.

55. The State Board of Health or its proper officers or inspectors are empowered to inspect and examine any live animal, carcass, meat, poultry, game, flesh, fish, fruit, vegetables, bread, milk, wines, spirituous, malt or other liquors or things exposed for sale and intended for the food of man; and if any such article appear to be diseased, unsound or unwholesome and unfit for the food of man, said board or its officers shall issue an order preventing the sale thereof, and any person neglecting or refusing to obey said order shall be deemed guilty of a misdemeanor and shall be punished by a fine of any sum not less than \$50 and in default of the payment thereof be imprisoned in the public jail not more than six months.

56. Prosecuting attorneys shall appear for the people and prosecute complaints under this act.

57. The sum of \$2,500 is annually appropriated for defraying the expenses of chemical

and scientific examinations made under this act, and for the salaries of inspectors and other necessary expenses to be paid by the treasurer of the state on a warrant of the comptroller.

BUTTERINE AND OLEOMARGARINE.

88. Prohibits the manufacture out of any oleaginous substance or compounds thereof, not produced from unadulterated milk or cream from the same, of any article as a substitute for pure butter or cheese. This provision shall not apply to pure skimmed milk or cheese made from pure skimmed milk. It is a misdemeanor to violate this section, punishable by a fine not less than \$100 nor more than \$500, or by not less than six months or more than one year's imprisonment, or both, for the first offense; and by imprisonment for one year for any subsequent offense.

Ibid, Sec. 2.

89. Prohibits the manufacture out of any animal fat or animal or vegetable oils not produced from unadulterated milk, or cream from the same, of any article in imitation of natural butter or cheese produced from unadulterated milk or cream; nor shall any person mix, compound or add to milk, cream or butter any acids or deleterious substance or animal or vegetable fats, or oils not produced from pure unadulterated milk or cream, so as to produce an imitation of natural butter or cheese, whether such substance or compound be made in this state or elsewhere; and it is a misdemeanor to violate this section, punishable by a fine of not less than \$100 nor more than \$500 or not less than six months nor more than one year's imprisonment for the first offense, or by imprisonment for one year for each subsequent offense.

Ibid, Sec. 3.

Sec. 90. Prohibits the manufacture or compounding with natural milk, cream or butter of any animal fats or animal or vegetable oils; or manufacture of any oleaginous substance not produced from milk or cream intended for sale as pure butter or cheese. No person shall coat, powder or color with annatto butterine or oleomargarine or compound thereof, or any product made in whole or in part from animal fats or animal or vegetable oils not produced from unadulterated milk or cream, so as to resemble pure butter or cheese. Want of knowledge of the nature or ingredients of such product in possession of any person is no excuse from liability under this section. It is a misdemeanor to violate this section, punishable by a fine of not less than \$100 nor more than \$1,000.

Ibid, Sec. 4.

91. No keeper or proprietor of any bakery,

hotel, tavern, boarding house, restaurant, lunch counter or place of public entertainment shall keep or serve therein as food any article made in violation of the provisions of the three preceding sections. It is a misdemeanor to violate this section, punishable by a fine of not less than \$50 nor more than \$200, or not less than 10 days nor more than 30 days imprisonment for the first offense; or by imprisonment for one year for each subsequent offense.

LIVE STOCK.

Attention is called to the provisions of the public general laws of 1888, article 58, chapter 519. Under these laws is created a State Live Stock Sanitary Board, appointed by the governor for the purpose of protecting the health of domestic animals of the state from exotic, contagious or infectious diseases. This board is empowered to establish and maintain quarantine and such sanitary or other regulations as it may deem necessary. It shall institute and prosecute diligent inquiries to ascertain the condition of health of the live stock in the counties throughout the state, and local Boards of Health shall report cases of infectious diseases to said Live Stock Sanitary Board.

This board is given full power not only to protect the health of live stock in this state from contagious by such rules as it may establish, but also power to enforce the penalties prescribed under the act creating said board on such persons as violate provisions prohibiting the sale of diseased or infected meats from animals that have died otherwise than by slaughter.

DAIRIES.

Chapter 306, Acts of 1898.

19. It is the duty of dairymen and herds-men or private individuals supplying milk to cities, towns or villages to register their herds of cattle with the Live Stock Sanitary Board. For neglect to do so parties offending shall be fined not less than \$1 nor more than \$20 for each offense.

20. It is the duty of said board to have inspected at least annually without notice to the owner or those in charge of any dairy or party supplying milk the premises wherein cows are kept; and if the premises are found to be in an unsanitary condition said board may prohibit the shipment from such premises until such time as the premises shall conform to the following sanitary rules:

(1) No stable or shed shall be used for stabling cows for dairy purposes which is not well lighted and ventilated, and which is not provided with sufficient feed troughs, boxes and suitable floor laid with proper grade and channels to immediately carry off all drainage, and if a public sewer abuts the premises upon

which such building is situated it shall be connected therewith whenever the inspector considers such connection necessary.

(2) No water closet, privy, cess pool, urinal, inhabited room or work shop shall be located within any building or shed used for the stabling of cows for dairy purposes, or for the storage of milk or cream; nor shall any fowl, hog, sheep or goat be kept in any room used for such purposes.

(4) It shall be the duty of each person using premises for keeping cows for dairy purposes to cause the building in which cows are kept to be thoroughly cleaned and to remove all dung from the premises, so as to prevent accumulation in great quantities.

(5) Any person using any premises for keeping cows for dairy purposes shall provide and use a sufficient number of receptacles made of non-absorbent matter for the reception, storage or delivery of milk, and shall cause them at all times to be cleaned and purified and shall cause all milk to be removed without delay from the rooms in which cows are kept.

(6) Every person keeping cows for the production of milk for sale shall cause every such cow to be cleaned every day, and to be properly fed and watered with abundant pure and clean water.

(7) Any enclosure in which cows are kept shall be graded and drained so as to keep the surface reasonably dry; no garbage, fecal matter, or similar matter shall be placed or allowed to remain in such enclosure, unless sufficient straw or good absorbent matter be used to keep the enclosure clean at all times, and no open drains shall be allowed to run through it.

Any person who shall ship or sell milk contrary to the aforesaid order of said Board shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than \$1 nor more than \$20 for each day during which shipments shall be made after notice of such order. The Live Stock Sanitary Board shall at the request of the owner or owners of dairy herds furnish them with certificates of health whenever the provisions of this article are complied with and there is no visible sign of disease amongst such herds. Such certificate shall be revocable in the discretion of the Board.

For the purpose of paying the expenses required in carrying out the provisions of this sub-title the sum of \$3,000 is hereby appropriated annually, or so much thereof as is necessary, out of moneys in the treasury not otherwise appropriated, and the Comptroller is authorized and directed to draw his warrant on the treasury for such sum as the said Board shall produce vouchers for, not exceeding the amount appropriated, payable monthly.



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PURE FOOD LAWS OF MASSACHUSETTS

The Dairy and Food Laws of the State of Massachusetts are administered by a Dairy Bureau under the control of the Board of Agriculture, and by the State Board of Health. The Dairy Bureau of the Board of Agriculture consists of three members of said board appointed by the Governor with the advice and consent of the council, for a term of three years. The salary of the members of this bureau and their powers and duties are hereinafter set forth.

THE DAIRY BUREAU OF THE BOARD OF AGRICULTURE CONSISTS OF THE FOLLOWING MEMBERS:

George M. Whitaker, Gen'l Agent. Boston
J. Lewis Ellsworth.
C. D. Richardson.
Fred W. Sargent.

The State Board of Health has supervisory powers over the enforcement of the laws relating to the adulteration of articles of food and drink, and shall take cognizance of all these laws as they relate to the general health.

THE STATE BOARD OF HEALTH CONSISTS OF:

Henry P. Walcott, M. D., Chairman..Cambridge
Gerard C. Tobey, Esq. Wareham
Frank W. Draper, M. D. Boston
Hiram F. Mills, C. E. Lawrence
James W. Hull. Pittsfield
Charles H. Porter. Quincy
Julian A. Mead, M. D. Watertown

Samuel W. Abbott, M. D., Secretary.
X. H. Goodnough, C. E., Engineer.

The persons chiefly concerned in enforcing the Pure Food Laws under the supervision of the Board of Health are as follows:

Sam'l W. Abbott, Sec'y, general supervision of work.

Albert E. Leach, Chemist, Food and Drug Analysis.

Chas. A. Goessmann, Milk Analyst for Western Massachusetts.

H. C. Lythgoe, Ass't Chemist.

John F. McCaffrey, Inspector.

John H. Terry, Inspector.

Horace F. Davis, Inspector.

Thomas O. Allen, Inspector.

DAIRY BUREAU. CHAPTER 89.

Sec. 5. The board [of agriculture] shall at its annual meeting appoint a general agent of the dairy bureau, to assist the bureau and, under its direction, to superintend the work pro-

vided for in section 11. He shall receive an annual salary of \$1,200 and his necessary expenses.

Sec. 11. The dairy bureau of the Board of Agriculture shall consist of three members of said board, one of whom shall annually, before the first day of July, be appointed by the Governor, with the advice and consent of the council, for a term of three years. The Governor may at any time terminate the service of any member of said bureau and may thereupon or upon any member thereof ceasing to be a member of the board appoint another member in his place. Each member of said bureau shall receive \$5 for each day of actual service and his actual traveling expenses, which shall be paid by the commonwealth out of the fund provided for in the following section:

The bureau, under the general direction of the Board of Agriculture, shall inquire into the methods of making butter and cheese in cheese factories or creameries, investigate all dairy products and imitation dairy products bought or sold within the commonwealth; enforce all laws for the manufacture, transfer and sale thereof, and shall disseminate such information as will tend to produce a better quality thereof.

The Secretary of the Board of Agriculture shall be the executive officer of the bureau subject to its control and direction, and shall receive, in addition to his salary as secretary, \$500 a year from the commonwealth.

Sec. 12. The bureau may expend not more than \$7,000 annually in its work, and it may co-operate with the State Board of Health and with inspectors of milk, but it shall not interfere with the duties of such board or officers. It shall annually, before the fifteenth day of January, report to the general court in detail of the number of assistants, experts and chemists employed by it, with their expenses and disbursements, of all investigations made by it, of all cases prosecuted with the results thereof, and other information advantageous to the dairy interests in the state.

Sec. 13. The bureau and its agents and counsel as assistants shall have access to all places of business, factories, buildings, carriages and cars, used in the manufacture, transportation or sale of dairy products, or imitations thereof, and to all vessels and cans used in such manufacture and sale, and shall have the authority given to the State Board of Health or its officers or to the inspectors of milk, to enforce and prosecute violations of all laws relating to dairy products or imitations thereof. Whoever hinders, obstructs or in any way in-

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terferes with an officer or duly authorized agent of the dairy bureau in the performance of his duty shall be punished by a fine of \$100 for the first offence, and of \$200 for each subsequent offence, which shall be payable into the treasury of the commonwealth.

BUTTER, CHEESE AND LARD. CHAPTER 56.

Sec. 35. For the purposes of sections 36 to 47, inclusive, the word "Oleomargarine" shall include "butterine," "imitation butter" and any article, substance or compound, made in imitation or semblance of butter or as a substitute for butter and not made exclusively and wholly of milk or cream, or containing any fats, oils or grease not produced from milk or cream, and for the purposes of section 37, 38 and 41 to 47 inclusive the terms "butter" and "cheese" shall mean the products which are usually known by these names, and are manufactured exclusively from milk or cream, with salt and rennet, and with or without coloring matter.

Sec. 36. Whoever, himself or by agent, sells, exposes for sale or possesses with intent to sell, oleomargarine shall have the word "oleomargarine," or "butterine," stamped, labeled or marked, so that said word cannot be easily defaced, upon the top, side and bottom of every tub, firkin, box or package containing any of said oleomargarine. Whoever, himself or agent, exposes or offers for sale oleomargarine not in the original package, shall attach thereto in a conspicuous place a label bearing the words, "imitation butter," "oleomargarine" or "butterine." In retail sales of oleomargarine not in the original package, the seller shall attach to each package so sold and deliver therewith to the purchaser, a label or wrapper bearing in a conspicuous place upon the outside of the package the words "imitation butter," "oleomargarine" or "butterine." All said stamps, labels and marks shall be in printed letters in a straight line of plain, uncondensed Gothic type not less than one-half inch in length.

Sec. 37. Whoever, himself or agent, sells, exposes for sale or has in his possession with intent to sell, any article made in imitation or semblance of cheese or as a substitute for cheese, not made exclusively and wholly of milk or cream, or containing any fats, oils or grease not produced from milk or cream, shall have the words "imitation cheese" stamped, labeled or marked in printed letters of plain, uncondensed Gothic type, not less than one inch in length, so that said words cannot be easily defaced, upon the side of every cheese-cloth or band, around the same, and upon the top and side of every tub, firkin, box or package containing any of said article. In retail sales of

any of said article not in the original packages the seller shall attach to each package so sold at retail, and deliver therewith to the purchaser, a label or wrapper bearing in a conspicuous place upon the outside of the package the words "imitation cheese," in printed letters of plain, uncondensed Gothic type, not less than one-half inch in length.

Sec. 38. Whoever sells, exposes for sale or has in his possession with intent to sell, any article, substance or compound made in imitation or semblance of butter or cheese or as a substitute for butter or cheese, except as provided in the two preceding sections, and whoever, with intent to deceive, defaces, cancels or removes any mark, stamp, brand, label or wrapper provided for in said sections, or in any manner shall falsely label, stamp or mark any box, tub, article or package marked, stamped or labeled as aforesaid, or whoever, himself or by agent, sells, exposes for sale, or has in his possession with intent to sell, oleomargarine, contained in any box, tub, article or package, marked or labeled with the word "dairy" or the word "creamery," or the name of any breed of dairy cattle, shall for the first offence forfeit \$100, and for each subsequent offence \$200, to the use of the city or town in which the offence was committed.

Sec. 39. Every person who conveys oleomargarine in carriages or otherwise, for the purpose of selling the same in any city or town, shall annually, in May, be licensed by an inspector of milk of such city or town to sell the same within the limits thereof, and pay therefor to such inspector 50 cents to the use of the city or town. In towns in which there is no inspector of milk, licenses shall be issued by the town clerk. Licenses shall be issued only in the names of the owners of carriages or other vehicles, and shall be conclusive evidence of ownership. No license shall be sold, assigned or transferred. Each license shall be numbered and state the name, residence, place of business, number of vehicles used and the name and residence of every driver or other person engaged in carrying oleomargarine. Each licensee shall, before engaging in the sale of oleomargarine, cause his name, number of license and place of business to be legibly placed on each outer side of all vehicles used by him in the conveyance and sale thereof, in Gothic letters not less than one inch in length, and he shall report to the inspector any change of driver or other person employed by him which may occur during the term of his license. Whoever, without being first licensed, sells, oleomargarine, or exposes or offers it for sale from carriages or other vehicles or has it in his custody with intent so to sell, and whoever violates

any of the provisions of this section, shall, for a first offence, be fined not less than \$30 nor more than \$100, and for a second offence be fined not less than \$50 nor more than \$300.

Sec. 40. Every person, before selling or offering for sale oleomargarine in a store, booth, stand or market place in a city or town in which an inspector of milk is appointed, shall annually, in May, register in the books of such inspector, or if there is no inspector then in the books of the town clerk, his name and proposed place of sale, and pay 50 cents therefor to the use of such city or town. Whoever neglects so to register shall be fined not more than \$20.

Sec. 41. Whoever, himself or agent, renders, manufactures, sells, offers for sale, exposes for sale, takes orders for the future delivery of, has in his possession, keeps in storage, distributes, delivers, transfers or conveys with intent to sell, within the commonwealth, any article, product or compound made wholly or partly out of any fat, oil or oleaginous substance or compound thereof, not produced from unadulterated milk or cream from the same, which shall be in imitation of yellow butter produced from pure unadulterated milk or cream of the same, shall be fined not less than \$100 nor more than \$500 or be imprisoned for not more than one year; but the provisions of this section shall not prohibit the manufacture or sale of oleomargarine in a separate and distinct form and in such manner as will inform the consumer of its real character, free from coloration or ingredient which causes it to look like butter.

Sec. 42. Inspectors of milk shall, if they have reasonable cause to believe that the provisions of sections 36 to 47 inclusive have been violated, on the information of any person who lays before them satisfactory evidence, institute complaints for violations of said sections. They may enter all places in which butter, cheese or imitations thereof are stored or kept for sale, and shall take samples of suspected butter, cheese or imitations thereof and cause them to be analyzed or otherwise satisfactorily tested, and record and preserve the result of such analysis or test as evidence. Before commencing the analysis of any sample in proceedings under sections 36, 37 and 38, the analyst shall reserve and seal a portion of the sample, and upon a complaint against any person, such reserved portion of the sample alleged to be adulterated shall, upon application, be delivered to the defendant or his attorney. The expense of such analysis or test, not exceeding \$20 in any one case, may be included in the expenses of such prosecutions. Whoever hinders, obstructs or in any way interferes with an inspector or his agent in the performance of his duty under the provisions of this section shall be punished by

a fine of \$50 for the first offence and of \$100 for each subsequent offence.

Sec. 43. Whoever, himself or by his agent, sells or offers for sale to any person who asks, sends or inquires for butter, any oleomargarine, shall be fined \$100 for each offence.

Sec. 44. Whoever exposes for sale oleomargarine which is not marked and distinguished by all the marks, words and stamps required by law, and does not have upon the exposed contents of every opened tub, package or parcel thereof a conspicuous placard with the word "oleomargarine" printed thereon in plain, uncondensed Gothic letters, not less than one inch long, shall be fined \$100 for each offence.

Sec. 45. Whoever sells oleomargarine from any dwelling, store, office or public mart which does not have conspicuously posted thereon the placard or sign, in letters not less than four inches in length, "oleomargarine sold here," or "butterine sold here," approved by the dairy bureau, shall be punished by a fine of \$100 for the first offence and \$100 for each day's neglect after conviction for the first offence.

Sec. 46. Whoever, himself or agent, peddles, sells, solicits orders for the future delivery of or delivers from any cart, wagon or other vehicle, oleomargarine, not having on both sides of said cart, wagon or other vehicle the placard in uncondensed Gothic letters, not less than three inches in length, "Licensed to sell oleomargarine," shall be fined \$100 or imprisoned thirty days for each offence.

Sec. 47. Whoever furnishes oleomargarine or causes it to be furnished in any hotel, restaurant, boarding house or at any lunch counter, to a guest or patron thereof, instead of butter, without notifying said guest or patron that the substance so furnished is not butter shall be punished by a fine of not less than \$10 nor more than \$50 for each offence.

Sec. 48. Whoever, himself or agent or otherwise, sells, exposes for sale or has possession with intent to sell, any article which is produced by taking original packing stock or other butter, or both, melting the same, so that the butter fat can be drawn off, mixing the said butter fat with skimmed milk or milk or cream, or other milk product, and re-churning the said mixture, or by any similar process, and is commonly known as process butter, shall have the words "renovated butter" conspicuously stamped, labeled or marked, in a straight line in printed letters, not less than one-half inch in length, of plain, uncondensed Gothic type, so that said words cannot be easily defaced, upon the top, side and bottom of every tub, firkin, box or package containing said article or compound. The seller at retail of said article or compound, which is not in the original package,

shall himself or by agent, attach to each package so sold and deliver therewith to the purchaser a label or wrapper bearing in a conspicuous place upon the outside of the package the words "renovated butter" in printed letters not less than one-half inch in length in a straight line of plain, uncondensed Gothic type. Whoever violates the provisions of this section shall be fined not less than \$100 nor more than \$500 or imprisoned not more than one year.

Sec. 49. No person shall sell, deliver, prepare, put up, expose or offer for sale any lard or any article intended for use as lard, which contains any ingredient except the pure fat of swine, in any tierce, bucket, pail or other vessel or wrapper, or under any label, bearing the words "pure," "refined," "family," or either of them, alone or in combination with other words; but every vessel, wrapper or label in or under which such article is sold, delivered, prepared, put up or exposed for sale by him shall bear on the top or outer side thereof, in letters not less than one-half inch in length and plainly exposed to view, the words "compound lard." whoever violates the provisions of this section shall be fined not more than \$50 for the first offence or not more than \$100 for a subsequent offence.

Sec. 50. All fines recovered under the provisions of sections 43, 44, 45, 46 and 47 shall be payable to the commonwealth.

MILK.

Sec. 51. The mayor and aldermen of cities shall, and the selectmen of towns may, annually appoint one or more inspectors of milk for their respective cities and towns. Each inspector shall publish a notice of his appointment for two weeks in a newspaper published in his city or town, if any; otherwise he shall post such notice in two or more public places in such city or town. He shall receive such compensation as the mayor and aldermen or selectmen may determine.

Sec. 52. Such inspectors shall keep an office and shall record, in books kept for the purpose, the names and places of business of all persons engaged in the sale of milk within their city or town. They may, with the approval of the mayor or selectmen, employ collectors of samples of milk. The inspectors or collectors may enter all places in which milk is stored or kept for sale and all carriages used for the conveyance of milk, and take therefrom samples for analysis. They shall, upon request made at the time such sample is taken, seal and deliver to the owner or person from whose possession the milk is taken a portion of each sample, and a receipt therefor shall be given to the inspector or collector. Inspectors shall

cause such samples to be analyzed or otherwise satisfactorily tested, and record as evidence the results thereof; but no evidence of the result of such analysis or test shall be received if the inspector or collector on request, refuses or neglects to seal and deliver a portion of the sample taken as aforesaid to the owner or person from whose possession it is taken.

Sec. 53. Whoever, in cities and in towns in which an inspector of milk is appointed, conveys milk in carriages or otherwise for the purpose of sale shall annually, before the first day of June, be licensed by the inspector of milk of such city or town to sell milk within the limits thereof, and shall pay to such inspector 50 cents to the use of the city or town. Licenses shall be issued only in the names of the owners of carriages or other vehicles. They shall, for the purposes of this chapter, be conclusive evidence of ownership and shall not be sold, assigned or transferred. Each license shall contain the number thereof, the name, residence, place of business, number of carriages or other vehicles used by the licensee, and name of every driver or person employed by him in carrying or selling milk. Each licensee shall, before engaging in the sale of milk, cause his name, number of his license and place of business to be legibly placed on each outer side of all carriages or vehicles used by him in the conveyance and sale of milk, and he shall report to the inspector any change of driver or other person who may be employed by him occurring during the term of his license. Whoever, without being first so licensed, sells milk or exposes it for sale from carriages or other vehicles, or has it in his possession with intent so to sell, or violates any of the provisions of this section, shall for a first offence be fined not less than \$30 nor more than \$100, for a second offence fined not less than \$50 nor more than \$300, and for a subsequent offence be fined \$50 and imprisoned not less than thirty nor more than sixty days.

Sec. 54. Every person, before selling milk or offering it for sale in a store, booth, stand or market place in a city or in a town in which an inspector of milk is appointed, shall register in the books of such inspector his name and proposed place of sale, and shall pay to him 50 cents to the use of such city or town. Whoever neglects so to register shall be punished by a fine of not more than \$20.

Sec. 55. Whoever, himself or otherwise, sells, exchanges or delivers, or has in his possession with intent to sell, exchange or deliver or exposes or offers for sale or exchange, adulterated milk or milk to which water or any foreign substance has been added, or milk produced from cows which have been fed on the refuse

of distilleries, or from sick or diseased cows, or, as pure milk, milk from which the cream or a part thereof has been removed, and whoever sells, exchanges or delivers or has in his custody or possession with intent to sell, exchange or deliver, skimmed milk containing less than nine and three-tenths per cent of milk solids exclusive of fat, shall for a first offence be punished by a fine of not less than \$50 nor more than \$200, for a second offence by a fine of not less than \$100 nor more than \$300 and for a subsequent offence by a fine of \$50 and by imprisonment for not less than sixty nor more than ninety days.

Sec. 56. In prosecutions under the provisions of section 51 to 64, inclusive, milk which, upon analysis, is shown to contain in April, May, June, July, August and September less than twelve per cent of milk solids, or less than 9 per cent of milk solids exclusive of fat, or less than three per cent of fat, and in the other months to contain less than thirteen per cent of milk solids, or less than nine and three-tenths per cent of milk solids exclusive of fat, or less than three and seven-tenths per cent of fat, shall not be considered milk of good standard quality.

Sec. 57. Whoever, himself or otherwise, sells, exchanges or delivers, or has in his possession with intent to sell, exchange or deliver, milk which is not of good standard quality, shall for a first offence be punished by a fine of not more than \$50, for a second offence by a fine of not less than \$100 nor more than \$200, and for a subsequent offence by a fine of \$50 and by imprisonment for not less than sixty nor more than ninety days.

Sec. 58. Whoever, himself or agent, sells, exchanges or delivers or has in his possession with intent to sell, exchange or deliver, milk from which the cream or a part thereof has been removed, not having the words "skimmed milk" distinctly marked upon a light ground in plain, dark, uncondensed Gothic letters at least one inch in length in a conspicuous place upon every vessel, can or package from or in which such milk is, or is intended to be, sold, exchanged or delivered shall be punished as provided in section 55. If such vessel, can or package is of the capacity of not more than two quarts, said words may be placed upon a detachable label or tag attached thereto and said letters may be less than one inch in length.

Sec. 59. Whoever sells, or offers for sale or exchange, condensed milk or condensed skimmed milk in hermetically sealed cans without having such cans distinctly labeled with the name of the manufacturer of such milk, the brand under which it is made and the contents of the can; and whoever sells condensed milk

from cans or packages not hermetically sealed without having such cans or packages branded or labeled with the name of the manufacturer, shall be punished as provided in section 55.

Sec. 60. Whoever makes, causes to be made, uses or has in his possession, an imitation or counterfeit of a seal used by an inspector of milk, collector of samples or other officer engaged in the inspection of milk, and whoever changes or tampers with a sample taken or sealed as provided in section 52, shall be fined \$100 and imprisoned not less than three nor more than six months.

Sec. 61. An inspector of milk, or his agent, who wilfully connives at or assists in a violation of the provisions of section 51 to 64, inclusive, or of section 70, or whoever, except as provided in section 42, hinders, interferes with an inspector of milk or his servant or agent in the performance of his duty, shall be punished by a fine of not less than \$100 nor more than \$300 or by imprisonment of not less than thirty nor more than sixty days.

Sec. 62. A producer of milk shall not be liable to prosecution for the reason that the milk produced by him is not of good standard quality unless such milk was taken upon his premises or while in his possession or under his control by an inspector of milk, collector of samples of milk or agent of the dairy bureau or of the State Board of Health, and a sealed sample thereof was given to him.

Sec. 63. An officer of the state board of health or the dairy bureau, an inspector or collector of samples or other state, city or town officer who obtains a sample of milk for analysis shall, within ten days after obtaining the result of the analysis, send it to the person from whom the sample was taken or to the person responsible for the condition of such milk.

Sec. 64. An inspector shall make a complaint for a violation of any of the provisions of sections 51 to 69, inclusive, upon the information of any person who lays before him satisfactory evidence by which to sustain such complaint.

Sec. 65. Bottles, pipettes or other measuring glasses which are used by a person, firm or corporation, or by an employee or agent thereof, at a creamery, cheese factory, condensed milk factory, milk depot or other place, in this commonwealth, in determining by any test the value of milk or cream received from different persons or associations at such creameries, factories or milk depots as a basis of payment for such milk or cream, shall, before use, be tested for accuracy by the director of the Hatch Experiment station of the Massachusetts Agricultural College or by a competent person who may be designated by him. Such director shall

receive for such service the amount of the actual cost incurred, and no more, which shall be paid by the persons or corporations for whom it is rendered. Such bottles, pipettes or measuring glasses shall, if found to be accurate, bear in ineffaceable marks or characters the evidence that such test has been so made; if found to be inaccurate they shall be marked "Bad."

Sec. 66. Said director, or his agent, shall annually inspect, at the expense of the owners, all centrifugal or other machines used by any person, firm or corporation, or by any agent or employee thereof, for the testing of milk or cream in fixing the value thereof; and shall cause all such machines to be put into condition to obtain accurate results with the Babcock or other test, at the expense of the owners thereof. Such machines may be replaced by new machines at the election of the persons to whom they belong.

Sec. 67. No person shall, either himself or as an employee of any other person, firm or corporation, manipulate any test, whether mechanical or chemical, for the purpose of measuring the butter fat contained in milk or cream as a basis for determining the value of such milk or cream, or of butter or cheese made therefrom, without first obtaining a certificate from the director of the Hatch Experiment station that he is competent to perform such work. Rules governing applications for such certificates and the granting of the same shall be established by said director. The fee for issuing such a certificate shall not exceed \$2, and shall be paid by the applicant to said director, to be used in paying the expenses incurred under the provisions of section 65 to 69, inclusive.

Sec. 68. Said director shall test farmers' samples of milk or cream by the Babcock method, and report the results of each test, the cost thereof to be paid by the farmer. The director shall also test by the Babcock method samples of milk or cream sent from any creamery, factory or milk depot in the commonwealth by its proper representative, the actual cost of such tests to be borne by the sender. The experiment station shall publish and distribute such information relative to the provisions of this section concerning the Babcock test, and the taking and forwarding of samples, as it considers necessary.

Sec. 69. Whoever violates any provision of the four preceding sections shall be punished by a fine of not more than \$25 for the first offence and of not more than \$50 for each subsequent offence.

MEAT AND PROVISIONS.

Sec. 70. Boards of health of cities and towns may inspect the carcasses of all slaughtered animals and all meat, fish, vegetables, produce, fruit or provisions of any kind found in their

cities or towns, and for such purpose may enter any building, enclosure or other place in which such carcasses or articles are stored, kept or exposed for sale. If, on such inspection, it is found that such carcasses or articles are tainted, diseased, corrupted, decayed, unwholesome or, from any cause, unfit for food, the Board of Health shall seize the same and cause it to be destroyed forthwith or disposed of otherwise than for food. All money received by the Board of Health for property disposed of as aforesaid shall, after deducting the expenses of said seizure, be paid to the owner of such property. If the Board of Health seizes or condemns any such carcass or meat for the reason that it is affected with a contagious disease, it shall immediately give notice to the Board of Cattle Commissioners of the name of the owner or person in whose possession it was found, the nature of the disease and the disposition made of said meat or carcass.

Sec. 71. The Board of Health may inspect all veal found, offered or exposed for sale or kept with the intent to sell in its city or town, and if, in its opinion, said veal is that of a calf less than four weeks old when killed, the board shall seize and destroy or dispose of it as provided in the preceding section, subject, however, to the provisions thereof relative to the disposal of money.

The Board of Health enforces the general food and drug laws as follows:

CHAPTER 75.

Sec. 16. No person shall manufacture, offer for sale or sell within this commonwealth any drug or articles of food which is adulterated within the meaning of section 18.

Sec. 18. A drug shall be deemed to be adulterated: (1) If when sold under or by a name recognized in the United States Pharmacopoeia it differs from the standard of strength, quality or purity prescribed therein, unless the order therefor requires an article inferior to such standard or unless such difference is made known or so appears to the purchaser at the time of the sale. (2) If when sold under or by a name not recognized in the United States Pharmacopoeia, but which is found in some other pharmacopoeia or other standard work on materia medica, it differs materially from the standard of strength, quality or purity prescribed in such work. (3) If its strength, quality or purity falls below the professed standard under which it is sold.

Food shall be deemed to be adulterated: (1) If any substance has been mixed with it so as to reduce, depreciate or injuriously affect its quality, strength or purity. (2) If an inferior or cheaper substance has been substituted for it wholly or in part. (3) If any valuable or necessary constituents or ingredients have been

wholly or in part taken from it. (4) If it is in imitation of or is sold under the name of another article. (5) If it consists wholly or in part of a diseased, decomposed, putrid, tainted or rotten animal or vegetable substance or article, whether manufactured or not, or, in case of milk, if it is produced by a diseased animal. (6) If it is colored, coated, polished or powdered in such a manner as to conceal its damaged or inferior condition, or if by any means it is made to appear better or of greater value than it is. (7) If it contains any added substance or ingredient which is poisonous or injurious to health. (8) If it contains any

added antiseptic or preservative substance, except common table salt, saltpeter, cane sugar, alcohol, vinegar, spices, or in smoked trout—the natural products of the smoking process; but the provisions of this definition shall not apply to any such article if it bears a label on which the presence of the percentage of every such antiseptic or preservative substance is clearly indicated, nor shall it apply to such portions of suitable preservative substances as are used as a surface application for preserving dried fish or meat, or as exist in animal or vegetable tissues as a natural component thereof, but it shall apply to additional quantities.

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Michigan State Dairy and Food Commissioner



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Deputy Michigan Dairy and Food Commissioner



R. E. DOOLITTLE
Michigan State Analyst

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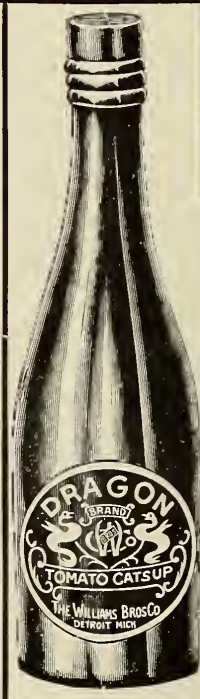
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PURE FOOD LAWS OF MICHIGAN

The Pure Food Laws of the State of Michigan are administered by a State Dairy and Food Commissioner appointed by the governor, with the consent of the Senate, for the term of two years, at a salary of \$2,000 per annum. The Commissioner shall appoint a Deputy Commissioner. He shall also have power to appoint not to exceed two clerks for the transaction of his business, and six inspectors, who shall hold office during the pleasure of the commissioner. He may also appoint a competent person to be State Analyst, and an Assistant State Analyst. The present Dairy and Food Commission of the State of Michigan consists of the following members:

W. B. Snow, Commissioner.
Perley C. Heald, Deputy Commissioner.
R. E. Doolittle, State Analyst.
L. H. Van Wormer, Assistant State Analyst.

A digest of the Dairy and Food Laws is as follows:

(C. L. 4973) Sec. 1. Provides that the Governor shall, with the consent of the Senate, appoint a Dairy and Food Commissioner every two years, and creates said office.

(C. L. 4974) Sec. 2. The Governor has power to remove such commissioner, but his reasons therefor shall be laid before the Senate at the next special or regular session. In case of vacancy the Governor may appoint another person to fill same.

(C. L. 4975) Sec. 3. Provides oath of office for the Commissioner, with bond in the sum of \$10,000, to be approved by the Governor.

(C. L. 4976) Sec. 4. As amended by S. B. No. 532 of the last legislature, provides that the salaries authorized by this section shall be payable monthly on the warrant of the Auditor General. That the commissioner's salary shall be \$2,000 per annum; the deputy commissioner's, \$1,500; of each clerk not to exceed \$720, and of each inspector not exceeding \$3 per day. To the above salaries are added necessary expenses. The Commissioner shall, with the consent of the Governor, appoint a deputy commissioner, to hold office during the Commissioner's pleasure. The Commissioner may appoint not to exceed two clerks for his office. He may also appoint not to exceed six inspectors to hold office during his pleasure. Such inspectors have the same right of access to places to be inspected as the Commissioner or deputy. Provides for bonds in the sum of \$5,000 each for the deputy commissioner and inspectors for the performance of their respective duties. Provides for office room, necessary furniture, fix-

tures, etc., for said commissioner's business, and that said office shall remain in the city of Lansing.

Sec. 5. As amended by the above bill provides the Commissioner shall appoint a competent person to be State Analyst, who shall be a practical analytical chemist. Said Commissioner may appoint an assistant state analyst. Their term of office shall be at the pleasure of the Commissioner. Provides for a room in connection with the Dairy and Food Commission for the laboratory of the state analyst and assistant. The salary of the chemist shall be \$1,500; the assistant chemist, \$1,000, and actual expenses in both cases in the performance of their duties. Provides an amount not exceeding \$500 for chemical supplies.

Sec. 6. It shall be the duty of the Dairy and Food Commissioner to inquire into the quality of dairy food and drink products, and articles which are foods or necessary constituents of foods, manufactured, sold, exposed or offered for sale in this state. He may procure samples and direct the state analyst to make examination of same and report to the commissioner the result thereof. If such article is adulterated, impure, unwholesome or made in contravention of this act the commissioner shall make complaint against the manufacturer or vendor thereof and furnish evidence to obtain a conviction thereof in the proper county. When complaint is made by the commissioner or his deputy security for costs shall not be required. They shall have power to enter any creamery, factory, store, salesroom, drug store or laboratory, or place where they have reason to believe food or drink are made, prepared, sold or offered for sale, and open any cask, tub, jar, bottle or package containing any article of food or drink and examine the contents thereof and take samples for analysis. Such sample shall be taken in the presence of at least one witness, and in such presence be marked or sealed and the value thereof tendered to the person from whom taken with a written statement why said sample was taken.

Sec. 7. Provides that each prosecuting attorney shall render legal assistance to enforce these laws.

(C. L. 4980) Sec. 8. It is unlawful for the state analyst to furnish any person a certificate as to the purity or excellence of any article of food product manufactured or sold by them.

Sec. 9. Provides that the Commissioner shall make a report to the governor covering the doings of his office, showing the number of manu-

factories and other places inspected, the number of food articles analyzed and the state analyst's report upon each; number of complaints for violations of these laws; number of convictions; amount of fines imposed, and such recommendations relative to statutes in force as his experience may justify, provides for the printing and distributing to all the papers of the state, and persons interested, a monthly bulletin, containing results of inspection and analyses made by the state analyst, and such other information relating to the adulteration of food and drink products as he may deem of benefit to the public. Also a summary of the work of his office, but not more than 10,000 copies of such bulletins shall be printed monthly.

(C. L. 4982) Sec. 10. Any person who hinders or obstructs the commissioner or his deputy or person authorized by him in the performance of their duty shall be guilty of a misdemeanor and fined not less than \$10 nor more than \$100, or imprisoned not less than 10 nor more than 90 days, or both.

Sec. 11. As amended by S. B. 532 of the last legislature, appropriates \$25,000 for each fiscal year ending June 30th, for the Food Commission, out of which is to be paid salaries, expenses and chemical supplies. Expenses for stationery, printing, etc., to be paid as other state printing, etc.

Sec. 12. As amended by the above bill provides that the sum of \$26,500 for the year 1901, and \$25,000 for the year 1902, shall be incorporated in the state tax and credited to the general fund for money appropriated by this act.

Sec. 1. Act No. 167, 1899. Any person obstructing the commissioner or his deputy or person authorized by him by refusing to allow them entrance to any place in the discharge of their official duties, or refusing to deliver to them a sufficient sample for analysis of any article of food or drink sold, offered or exposed for sale, or possessed with intent to sell, wherever same may be found, when value thereof is tendered, shall be guilty of a misdemeanor and fined not less than \$25 nor more than \$100, or imprisoned not less than 10 nor more than 90 days, or both, for each offense.

ADULTERATED FOOD.

(C. L. 5010) Sec. 1. No person shall within this state manufacture for sale, have in his possession with intent to sell, offer or expose for sale, or sell, any article of food which is adulterated within the meaning of this act.

(C. L. 5011) Sec. 2. The term "food," as used herein, shall include all articles used for food or drink, or intended to be eaten or drunk by man, whether simple, mixed or compound.

(C. L. 5012) Sec. 3. An article shall be deemed to be adulterated within the meaning

of this act: *First*, If any substance has been mixed with it, so as to lower or depreciate or injuriously affect its quality, strength or purity; *Second*, If any inferior or cheaper substance has been substituted wholly or in part for it; *Third*, If any valuable or necessary constituent or ingredient has been wholly or in part abstracted from it; *Fourth*, If it is an imitation of, or sold under the name of another article; *Fifth*, If it consists wholly or in part of a diseased, decomposed, putrid, infected, tainted or rotten animal or vegetable substance or article, whether manufactured or not, or, in the case of milk, if it is the product of a diseased animal; *Sixth*, If it is colored, coated, polished or powdered whereby damage or inferiority is concealed, or if made to appear better or of greater value than it really is; *Seventh*, If it contains any added substance or ingredient which is poisonous or injurious to health: *Provided*, That nothing in this act shall prevent the coloring of pure butter: *Provided, further*, That the provisions of this act shall not apply to mixtures or compounds recognized as ordinary articles or ingredients of food, if each and every package sold or offered for sale bear the name and address of the manufacturer and be distinctly labeled under its own distinctive name, and in a manner to plainly and correctly show that it is a mixture or compound, and is not in violation of definitions fourth and seventh of this section.

IMITATION BUTTER.

(C. L. 5013) Sec. 4. No person by himself or agent shall manufacture for sale, or offer or expose for sale, as butter, the legitimate product of the dairy, any article not made exclusively of milk or cream, into which the oil or fat of animals not produced from milk enters as a component part and has been introduced to take the place of cream. A violation hereof is punishable by a fine not less than \$50 nor more than \$500 and costs, or by imprisonment in the county jail or State House of Correction and Reformation not less than 90 days nor more than two years, or both.

CHEESE.

(C. L. 5014) Sec. 5. Prohibits the manufacturing or dealing in any article or substance resembling or in imitation of cheese made exclusively of unadulterated milk or cream, into which animal, intestinal or offal fats or oils, or melted butter in any condition or state, or oleaginous substance of any kind not produced from unadulterated milk or cream shall have been introduced. Imposes punishment for a violation hereof as in the last section.

(C. L. 5015) Sec. 6. Every manufacturer of full milk cheese may put a brand upon each cheese, indicating "Full milk cheese." No per-

son shall use such brand on cheese from milk from which any cream has been taken. Every cheese factory, creamery or butter factory, where milk or cream is purchased of or contributed by three or more persons shall be registered with the location thereof and name of the owner or manager with the Dairy and Food Commissioner on or before the 1st day of April each year. A violation hereof is punishable by fine of not less than \$5 nor more than \$25, and costs, or imprisonment not more than 30 days, or both.

(C. L. 5016) Sec. 7. Provides that the Commissioners of the state a uniform stencil brand, bearing a suitable device or motto, and the words "Michigan full cream cheese." Such brand shall be used on the outside of the cheese, and upon the package containing the same, and bear a separate number for each separate factory. The commissioner shall keep a book in which shall be registered the name, location and number of each factory using said brand, and names of persons at each factory authorized to use same. No such brand shall be used on other than full cream cheese. The commissioner shall receive \$1 for each registration from the party applying for same to be used as a part of the Pure Food Fund.

(C. L. 5017) Sec. 8. No person shall knowingly offer, sell or expose for sale, in any package, cheese which is falsely branded or labeled.

LARD.

(C. L. 5018) Sec. 9. No person shall manufacture for sale or possess with intent to sell, offer or expose for sale, as lard, any substance not the legitimate product of the fat of the hog.

(C. L. 5019) Sec. 10. Prohibits the manufacturing for sale, exposing for sale, or selling any substance made in semblance of lard, or as an imitation of lard, which consists of any mixture or compound of animal or vegetable oils, or fats other than hog fat, in the form of lard, unless every tierce, barrel, tub, pail or package containing same be distinctly branded or labeled "Lard substitute or compound," and every person manufacturing for sale, selling or possessing with intent to sell, any such substance in imitation of lard, or as a substitute for lard, designed to take the place of lard, consisting of any mixture or compound of lard with animal or vegetable oils or fats, shall cause the tierce, barrel, tub, pail or package containing same to be distinctly and legibly branded or labeled either "Adulterated lard," "Lard compound," or "Lard substitute." Such brands or letters shall be in letters not less than one inch in length and shall be followed with the name of the maker and factory, and location of same.

(C. L. 5020) Sec. 11. Every person who of-

fers or exposes for sale, or sells any form of lard substitute or adulterated lard as hereinbefore defined, shall securely affix or cause to be affixed to the package wherein same is contained, offered for sale or sold, a label, upon the outside and face of which is distinctly and legibly printed in letters not less than one-half inch in length the words "Lard substitute" or "Adulterated lard" or "Lard compound," or other appropriate name which shall correctly express its nature and use.

(C. L. 5021) Sec. 12. The possession of any lard substitute or adulterated lard or lard compound, as hereinbefore defined, not branded or labeled as required and directed, upon the part of any dealer or person engaged in public sale thereof, shall for the purpose of this act be deemed *prima facie* evidence of intent to sell same.

JELLIES.

(C. L. 5022) Sec. 13. Prohibits the manufacture for sale, selling, offering or exposing for sale, as fruit jelly or fruit butter, any jelly or imitation fruit butter or similar compound made or compounded in whole or in part of glucose, dextrine, starch, or other substances, and colored in imitation of fruit jelly or fruit butter; nor shall any such jelly, fruit butter or compound be manufactured or sold under any name or designation whatever unless the same shall be composed entirely of ingredients not injurious to health and not colored in imitation of fruit jelly, and every can, pail or package of such jelly or butter sold in this state shall be distinctly and durably labeled "Imitation fruit jelly or butter," with the place where made and name of manufacturer. A violation of this section is punishable by a fine of not less than \$50 nor more than \$500, or imprisonment not less than 90 days nor more than two years, or both.

PRESERVED FRUITS, ETC.

(C. L. 5023) Sec. 14. No packer or dealer in preserved or canned fruits, vegetables or other articles of food, shall sell or offer for sale such canned articles unless such articles shall be entirely free from substances or ingredients deleterious to health, and bear a mark, stamp, label or brand with the name and address of the person that packs same. All "soaked or bleached goods," or goods put up from products dried before canning, shall be plainly marked, branded, stamped or labeled as such, with the words "Soaked or bleached goods," in letters not less than two-line pica in size, showing the name of the article and name and address of the packer.

COFFEE, SYRUP, ETC.

(C. L. 5024) Sec. 15. Prohibits the sale or offer for sale of manufactured or artificial cof-

fee in imitation of the genuine berry. No person shall manufacture, sell, offer or expose for sale any ground or prepared coffee, which is adulterated with chicory or other substance not injurious to health, unless each package shall be distinctly labeled or marked "Coffee compound," with the name and address of the manufacturer, and contain no other label. No person shall offer or expose for sale, or possess with intent to sell, or sell any molasses, syrup or glucose, unless the barrel, cask, keg, can or pail containing same be distinctly branded or labeled with its true and appropriate name; nor shall any person offer or expose for sale, possess with intent to sell, or sell any molasses or syrup mixed with glucose, unless the barrel, cask, keg or pail containing same be distinctly branded or labeled "Glucose mixture," and the percent in which glucose enters into its composition. Such barrel, cask, keg or pail shall be branded or labeled in a conspicuous place, and such brands or labels shall be in letters not less than one-half inch in length. Glucose and glucose mixtures shall have no other designation than herein required.

LIQUOR.

(C. L. 5025) Sec. 16. No person shall manufacture, brew, distil, offer for sale or sell any spirituous or fermented or malt liquors, containing any substance or ingredient not normal or healthful to exist in such liquors, or detrimental to health when such liquors are used as a beverage.

Sec. 17. The taking of orders or making of agreements or contracts for the future delivery missioner shall issue to the cheese manufacturer of any of the articles embraced within the provisions of this act shall be deemed a sale within the meaning of this act.

LABELS.

Sec. 18. Whoever shall falsely brand, mark, stencil or label any article required by this act to be branded, marked, etc., or shall remove, alter, deface, mutilate, obliterate, imitate or counterfeit any brand, mark, stencil or label so required, shall be deemed guilty of a misdemeanor, and punished by a fine not less than \$100 nor more than \$1,000, or imprisoned not less than six months nor more than three years, or both, for each offense.

Sec. 19. Whoever violates the provisions of this act shall be deemed guilty of a misdemeanor, and where no specific penalty is prescribed by this act punished by a fine of not less than \$25 nor more than \$500, or imprisoned not more than 90 days, or both.

Sec. 20. It shall be the duty of the Dairy and Food Commissioner of the state to investigate all complaints of violations of this act, and take steps necessary to its enforcement. All

prosecuting officers of the state shall prosecute to completion all suits brought under the provisions of this act upon complaint of commissioner or any citizen. All food inspectors in cities shall examine all complaints made to them of violations of this act, and assist in enforcing its provisions. All health boards in cities and health officers in townships shall take cognizance of and report or prosecute all violations of this act coming to their notice within their jurisdiction.

Sec. 21. Repeals all acts inconsistent herewith.

BUCKWHEAT FLOUR.

(C. L. 4994) Sec. 1. No person shall manufacture for sale, possess with intent to sell, offer or expose for sale or sell as buckwheat flour any adulterated substance resembling buckwheat flour which consists of any mixture or compound of mixtures other than buckwheat flour, except as provided in this act.

(C. L. 4995) Sec. 2. Buckwheat flour shall be deemed adulterated within the meaning of this act, *first*, if any substance has been mixed with it so as to lower, depreciate or injuriously affect its quality, strength or purity; *second*, if an inferior or cheaper substance has been substituted wholly or in part for it; *third*, if any valuable constituent or ingredient has been wholly or in part abstracted from it; *fourth*, if it is sold under the name of another article; *fifth*, if it contains any added substance or ingredient which is poisonous or injurious to health.

(C. L. 4996) Sec. 3. Prohibits the manufacture, sale or possession with intent to sell any substance resembling or as an imitation for buckwheat flour, consisting of any mixture or compound other than pure buckwheat flour, unless the barrel, package or pail containing same be distinctly and legibly branded or labeled "Buckwheat Substitute" or "Compound." Every person who exposes for sale, possesses with intent to sell, or sells any such substance as an imitation for buckwheat flour, which consists of any mixture or compound of buckwheat flour with middlings or other compound, shall cause the barrel, package or pail containing same to be distinctly branded either "Adulterated Buckwheat Compound" or "Buckwheat Substitute," such brands or labels shall be in letters not less than one inch in length, followed with name of the maker and factory and location of factory.

(C. L. 4997) Sec. 4. Prohibits the sale, offering or exposing for sale, any form of buckwheat flour substitute as hereinbefore defined, unless there is affixed to the package wherein the same is sold, exposed or offered for sale, a label upon the outside and face of which is

distinctly printed in letters not less than one inch in length the words "Buckwheat Flour Substitute" or "Adulterated Buckwheat Flour" or "Buckwheat Flour Compound."

(C. L. 4998) Sec. 5. Possession of buckwheat flour substitute or compound, as hereinbefore defined, not branded or labeled, as hereinbefore required and directed upon the part of any dealer or person engaged in public or private sale of such article shall be deemed *prima facie* evidence of intent to sell same.

(C. L. 4999) Sec. 6 The taking of orders or making of agreements for the future delivery of buckwheat flour shall be deemed a sale within the meaning of this act.

Sec. 7. Whoever shall falsely brand, mark or stencil or label any barrel, package or pail of buckwheat flour, or remove, alter, deface or counterfeit any brand, mark, stencil or label so required shall be guilty of a misdemeanor and punished by a fine not less than \$25 nor more than \$100 and costs, or imprisoned not less than 30 days nor more than 90 days, or both.

Sec. 8. Whoever violates any of the provisions of this act shall be deemed guilty of a misdemeanor, and where no penalty is prescribed by this act punished by a fine not less than \$25 nor more than \$100, or imprisoned not less than 30 nor more than 90 days, or both.

(C. L. 5002) Sec. 9. Prescribes the duty of the State Dairy and Food Commissioner and other officers as in (C. L. 5029) Sec. 20.

Sec. 10. Repeals all acts inconsistent herewith.

VINEGAR.

(C. L. 5003) Section 1. Prohibits the manufacture, sale, offer or exposing for sale or possessing with intent to sell or deliver any vinegar not in compliance with the provisions of this act. No vinegar shall be sold as apple, orchard or cider vinegar which is not the legitimate product of pure apple juice known as apple cider or vinegar, not made exclusively of apple cider or vinegar, into which foreign substance, drugs or acids have been introduced, and upon test shall contain not less than $1\frac{3}{4}$ per cent by weight of cider vinegar solids upon full evaporation at the temperature of boiling water.

Sec. 2. All vinegar made by fermentation and oxidation without the intervention of distillation shall be branded "fermented vinegar" with the name of the fruit or substance from which same is made. All vinegar made wholly or in part from distilled liquor shall be branded "distilled vinegar," and such vinegar shall be free from coloring matter added during or after distillation and from color other than that imparted to it by distillation. All fermented vinegar not distilled shall contain not less than $1\frac{3}{4}$ per cent by weight upon full evaporation (at

the temperature of boiling water) of solids, contained in the fruit or grain from which said vinegar is fermented, and shall contain not less than two and one-half tenths of 1 per cent ash or mineral matter, same being the product of the material from which said vinegar is manufactured. All vinegar shall be made wholly from the fruit or grain from which it purports to be made, and contain no foreign substance, and contain not less than 4 per cent by weight of absolute acetic acid.

Sec. 3. No person shall manufacture for sale, offer for sale or possess with intent to sell any vinegar found upon proper test to contain any preparation of lead, copper, sulphuric or other mineral acid, or ingredients injurious to health. All packages containing vinegar shall be marked, stenciled or branded on the head of the cask, barrel or keg containing such vinegar with the name and residence of the manufacturer together with brand required in section 2 hereof.

Sec. 4. A violation of this act is punishable by fine not less than \$50 nor more than \$100 or imprisonment not to exceed 90 days and costs, or both.

Sec. 5. Repeals all acts inconsistent herewith.

MILK.

(C. L. 11411) Sec. 1. Provides whoever shall knowingly sell to any person or sell or bring to be manufactured to any cheese or butter factory, any milk diluted with water or in any way adulterated or from which any cream has been taken or milk commonly known as "skimmed milk," or shall keep back any part of the milk known as "strippings" with intent to defraud, or knowingly sell milk, the product of a sick or a diseased animal, or milk produced from any cow fed upon the refuse of a distillery or brewery, or upon any substance deleterious to the quality of the milk or knowingly use any poisonous or deleterious material in the manufacture of cheese or butter, or sell or offer to sell cheese or butter in the manufacture of which any poisonous or deleterious substance has been used shall be deemed guilty of a misdemeanor and fined not less than \$10 nor more than \$100, and may be committed to the county jail until such fine shall be paid: *Provided*, such imprisonment shall not exceed 90 days; and shall be liable in double the amount of damages to the person upon whom such fraud shall have been committed. Repeals an act entitled "an act to prevent the adulteration of milk and etc.," approved March 31st, 1871. *Provided*, any right accrued or forfeiture incurred under said act shall remain valid and may be enforced under said act.

(C. L. 11412) Sec. 1. It shall be unlawful

for any person to sell or expose for sale any unwholesome, watered, adulterated or impure milk, or swill milk, or milk from cows kept upon garbage, swill, or any substance in a state of fermentation or putrefaction or other deleterious substance or from cows kept in connection with any family in which there are infectious diseases. The addition of water or ice to milk is an adulteration.

Sec. 2. A violation of the preceding section is punishable by fine not to exceed \$100 or imprisonment not to exceed 3 months, or both.

(C. L. 11417) Sec. 6. Every quantity of milk sold or exposed for sale contrary to the provisions of this act shall constitute a separate offense.

Sec. 7. Any person refusing to permit an inspector or his assistants to perform his duty under this act by refusing him entrance to his premises or by concealing milk or not permitting any milk or animals or premises wherein animals are kept to be inspected as herein provided or otherwise resisting said Inspector or Assistant in the performance of his duty shall be guilty of a misdemeanor and punished therefor.

Sec. 8. Gives authority to the Common Council of any city and the Board of Trustees or Council of any village to appoint an inspector of milk in any such city or village and fix their compensation. Said inspectors shall have all powers given by section 4 of this act and perform all duties required of inspectors of milk as provided herein and such other powers and duties as may be conferred or imposed by the ordinances of said cities or villages.

Sec. 9. Prohibits the adulteration, sale or exchange, exposure or possession with intent to sell or exchange adulterated milk or milk to which water or any foreign substance in any state of fermentation or putrefaction or from sick or diseased cows. Such offense is a misdemeanor, punishable by a fine not exceeding \$100 or imprisonment not exceeding three (3) months.

Sec. 10. Prohibits the adulteration, sale, exchange or possession with intent to sell or exchange or exposing or offering for sale as pure milk, any skimmed milk from which the cream or any part thereof has been removed. Such offense is a misdemeanor punishable as in the preceding section.

Section 11. Prohibits the sale, exchange, or possession with intent to sell or exchange milk from which the cream or any part thereof has been taken, unless in a conspicuous place above the center upon the outside of every vessel, can or package from which such milk is sold the words "skimmed milk" are distinctly painted in letters not less than one inch in length. A violation hercof is a misdemeanor, punishable by

fine not exceeding \$100 or imprisonment not exceeding three (3) months.

Sec. 12. Any milk sold or offered for sale under the provisions of this act as pure milk shown upon analysis by weight to contain more than 87 and fifty one-hundredths per centum of watery fluid or less than 12 and fifty one-hundredths of milk solids per centum, or less fat than 3 per centum, or if the specific gravity at 60 degrees Fahrenheit is not between 1.29-1000 to 1.33-1000, it shall be deemed to be adulterated. If milk sold or offered for sale under the provisions of this act as skimmed milk has a specific gravity at 60 degrees Fahrenheit less than 1.032, and greater than 1.037, it shall be deemed to be adulterated.

Sec. 13. If any inspector of milk has reason to believe any milk is adulterated, he shall take specimens thereof and test same with such instruments as are used for such purposes, and make analysis thereof, showing total solids, percentage of butter, water and the percentage of ash; and if such analysis indicates that the milk has been adulterated or deprived of its cream, the same shall be *prima facie* evidence of such adulteration.

Sec. 14. Any person removing the cream or any part thereof from milk to be sold as pure milk to any manufactory in which milk is used as a material in the process of production; and any person who shall adulterate such milk by the addition of water or otherwise shall be guilty of a misdemeanor and punished for each offense by fine not exceeding \$100 or imprisonment not exceeding 90 days.

ACT NO. 106, LAWS OF 1899.

Section 1. No person shall offer, expose for sale, sell, exchange or possess with intent to sell or exchange any milk to which water, chemicals, preservatives, or other foreign substance has been added. The term "milk" shall include all skimmed milk, buttermilk, cream and milk in its natural state as drawn from the cow.

Sec. 2. Whoever violates any of the provisions of this act shall be guilty of a misdemeanor and punished by a fine of not less than \$1 nor more than \$100 and costs, or by imprisonment not more than 90 days, or both.

OLEOMARGARINE.

(Act No. 147, Laws 1899.)

Section 1. No person shall sell, expose, or offer for sale or possess with intent to sell any Oleomargarine or other substance made in imitation of butter which is intended to be used as a substitute for butter, unless each and every vessel, package, roll, or parcel of such substance has distinctly and durably printed, stamped or stenciled thereon in black letters the true name of such substance in ordinary bold faced capital letters not less than 5 line pica in size; also the name and address of the manufacturer and the

name of each article or ingredient used or entering into the composition of such substance, in ordinary bold faced letters not less than pica in size.

Sec. 2. No person shall sell, exchange or deliver any Oleomargarine or substance made in imitation of butter which is intended to be used as a substitute for butter unless he shall distinctly inform the purchaser by a verbal notice at the time of sale, that the same is a substitute for butter and also deliver to the purchaser of each roll, package or parcel of such Oleomargarine or other substance at the time of delivering the same, a separate and distinct label on which is plainly and legibly printed in black ink in ordinary bold faced capital letters not less than 5 line pica in size the true name of such substance and also the name and address of the manufacturer, together with the name of each article used and entering into the composition of such substance, in ordinary bold faced letters not less than pica in size.

Sec. 3. The proprietor or keeper of any store, hotel, restaurant, eating saloons, boarding house or other place where Oleomargarine is sold or furnished to persons paying for same, shall have placed on the walls of every room where Oleomargarine is sold or furnished a white placard on which is printed in black ink in plain Roman letters not less than 3 inches in length and 2 inches in width the words "OLEOMARGARINE SOLD OR USED HERE," and shall at all times keep the same exposed in such conspicuous place as to be readily seen by all persons entering such room.

Sec. 4. No person shall use in any way in connection with the sale or exposure for sale or advertisement of any substance designed to be used as a substitute for butter, the word "butter," "creamery," or "dairy," or the name or representation of any breed of dairy cattle or any combination of such words commonly used in the sale of butter.

Sec. 5. The word "butter" shall be understood to mean the food product usually known as butter, which is made exclusively from milk or cream, or both, with or without any salt, and with or without additional coloring matter.

Sec. 6. For the purpose of this act, all substances heretofore known as Oleomargarine, Oleo, oleomargarine oil, butterine, lardine, suine and neutral; all mixtures and compounds of oleomargarine, oleo, oleomargarine oil, butterine lardine, suine and neutral, all lard extracts and tallow extracts, and all mixtures and compounds of tallow, beef fat, suet, lard, lard oil, vegetable oil, butterine, lardine, suine and neutral, and all mixtures and compounds of tallow, beef fat, suet, lard, lard oil, vegetable oil, intestinal fat, and offal fat, made in imitation of butter, calculated to be sold or used as

butter shall be known and designated as "OLEOMARGARINE."

Sec. 7. Whoever violates any of the provisions of this act shall be guilty of a misdemeanor and punished by a fine not less than \$50 nor more than \$500 or imprisonment not less than six months nor more than three (3) years, or both.

All acts inconsistent herewith are repealed.

IMITATION BUTTER.

AN ACT PASSED AT THE LAST LEGISLATURE.

Sec. 1. No person shall render or manufacture, sell or possess with intent to sell, any article, product or compound made wholly or in part out of any fat, oil or oleaginous substance or compound thereof, not produced from unadulterated milk or cream, which shall be in imitation of yellow butter produced from pure unadulterated milk or cream; *Provided*, That nothing in this act shall prohibit the manufacture or sale of oleomargarine in a separate and distinct form, and in such manner as will advise the consumer of its real character, free from coloration or ingredient that causes it to look like butter.

Sec. 2. A violation of this act is punishable as a misdemeanor by a fine of not less than \$50 nor more than \$500, or imprisonment not less than 6 months nor more than 3 years, or both.

PROCESS BUTTER.

Act No. 254, Laws of 1899.

Sec. 1. No person shall within this state sell, offer or expose for sale, or possess with intent to sell, any butter not labeled in compliance with the provisions of this act. Butter produced by taking original packing stock and other butter and melting same, so that the butter oil can be drawn off, mixed with skimmed milk or other material, and by emulsion or other process produce butter, and butter produced by any similar process, commonly known as "Process" butter, shall before sale, or being offered or exposed for sale, and while in possession of any person with intent to sell the same, be plainly labeled "Process Butter," in the manner prescribed by this act. If sold, offered or exposed for sale, or in the possession of any person with intent to sell, the prints or rolls shall be covered by wrappers, on which shall be printed in conspicuous letters the words "Process Butter." If packed in tubs or other receptacles and sold, offered or exposed for sale, or in possession of any person with intent to sell same, the said words shall be printed in one inch letters on the top and two sides of the tub or receptacle; if uncovered and not contained in a tub or other receptacle, and sold, offered or exposed for sale or possessed by any person with intent to sell, a placard containing said words shall be attached to the mass, in a manner making them plain and prominent.

Sec. 2. A violation of this act is punishable by fine of not less than \$25 nor more than \$100 and costs, including expense of inspection and analysis. *Provided*, The Dairy and Food Commissioner, deputies, agents and assistants, shall be charged with the enforcement of this act, and shall have full access to all places of business, factories, buildings, carriages, cars, vessels, barrels and packages of whatever kind, used in the manufacture and transportation and sale of any butter or adulteration or imitation thereof, manufactured, sold, or exposed for sale, or possessed with intent to sell; they shall also have power to take samples thereof for analysis, upon tendering value of said samples. Provides for payment of expenses hereunder.

Sec. 3. A violation of the provisions of this act is a misdemeanor, punishable by a fine of not more than \$100, or imprisonment not more than 30 days, or both, for the first offense; and \$100 and imprisonment for 30 days for each subsequent offense; *Provided*, fines imposed under this section shall be paid into the state treasury, and such butter held in violation hereof shall be forfeited and destroyed.

Sec. 4. Confers jurisdiction upon Justices of the Peace for violations of this act.

CANDY.

Act No. 11, Laws of 1887.

(C. L. 11409) Sec. 1. Any person manufacturing for sale, or knowingly selling or offering to sell candies or confectionaries adulterated by the admixture of terra alba, barytes, talc, or other earthly mineral substances, or poisonous colors, flavors or extracts, or other ingredients deleterious to health, shall be punished by a fine of not less than \$10 nor more than \$100, or imprisoned not less than 10 nor more than 30 days, or both.

Sec. 2. Local health officers and boards of health shall investigate complaints brought before them supported by affidavit of the party complaining of adulteration or sale of adulterated candies or confectionaries. If such investigation show reasonable cause for action, such officers or boards shall give notice to the prosecuting attorney of the county wherein complaint is made, and cause a formal complaint, duly verified, to be made before the proper officer, and said attorney shall immediately commence proceedings against the person offending.

LIQUORS.

Extract from Act No. 313, Laws of 1887.

(C. L. 5403) Sec. 25. If any person shall adulterate any spirituous or alcoholic liquors used or intended for drink by mixing the same in the manufacture or preparation thereof, or by process of rectifying, or otherwise, with any deleterious drug, substance, or liquid, poisonous or injurious to health, except as hereinafter provided, or if any person shall sell, or offer to sell

any wine, or spirituous, or alcoholic liquors, or import into this state any wine or spirituous or intoxicating liquors, and shall sell or offer to sell any spirituous or intoxicating liquors from any barrel, cask or vessel containing same, not branded as hereinafter provided, shall be guilty of a misdemeanor and punished by a fine of not exceeding \$500 nor less than \$50, and shall be imprisoned not more than six months nor less than 10 days.

Sec. 26. It shall be the duty of every person engaged in the manufacture and sale of malt, spirituous or alcoholic liquors, or in rectifying or preparing the same, to brand on each barrel, cask, or vessel containing same, the name of the party rectifying or preparing or manufacturing same, and also these words, "Pure and without drugs or poison."

Sec. 27. No person shall sell at wholesale or retail any ale, rum, wine, or other malt or spirituous liquors from any barrel, cask or vessel unless the same shall have been branded and marked as aforesaid.

Sec. 28. The possession of any barrel, cask or vessel containing any drugged or poisoned liquor, shall be deemed *prima facie* evidence of a violation of the provisions of this act.

Sec. 29. Any person who shall put into any barrel, cask or vessel, branded or marked as required by this act, any liquors drugged or adulterated as aforesaid, or sell or offer for sale any such liquors, for the purpose of deceiving any person in the sale thereof, or violate any of the provisions of sections 26, 27 or 28 of this act, shall be guilty of a misdemeanor and punished as provided in section 25 of this act.

Sec. 30. The provisions of this act shall not be construed to prevent druggists, physicians and persons engaged in the mechanical arts from compounding liquors for medicinal and mechanical purposes.

BLACK PEPPER.

AN ACT PASSED AT THE LAST LEGISLATURE.

Sec. 1. No person shall manufacture, offer or expose for sale, or possess with intent to sell, any ground or whole black pepper containing any foreign substance whatever. All black pepper shall contain not more than 6 1-2 per cent ash or mineral matter; and shall contain not less than 25 per cent starch as determined by the diastase method; and shall contain not less than six-tenths of one per cent nor more than one and three-fourths per cent of volatile ether extract; and shall contain not more than ten per cent nor less than six and one-half per cent of non-volatile ether extract; and shall contain not more than sixteen per cent of crude fibre.

Sec. 2. A violation of this act is a misdemeanor, punishable by a fine of not less than \$25 nor more than \$500 and costs, or imprisonment not more than 90 days, or both.

DIGEST AND RULINGS.

The following is but a brief synopsis of the Dairy and Food Laws. The Digest and Rulings cover but a portion of the food and drink products affected by the statutes. Every article of food and drink comes within the law's regulation, and dealers are advised to examine the laws carefully and inform themselves fully.

IN GENERAL.

No person shall within this State manufacture for sale, have in his possession with intent to sell, offer or expose for sale, or sell, any article of food or drink which is adulterated.

The taking of orders, or the making of agreements or contracts, by any person, firm, or corporation, or by any agent or representative thereof, for the future delivery of any of the articles, products, goods, wares or merchandise embraced within the provisions of this act is deemed a sale.

Under this statute a dealer is liable for selling an adulterated article, although he may have no knowledge that the same is adulterated.

A guarantee of purity received from the manufacturer or jobber does not relieve a person handling adulterated goods from liability.

BAKING POWDERS.—All packages containing same must bear name and address of the manufacturer. Can be sold without formula, but if labeled cream of tartar, phosphate powder, etc., must be true to name.

BUCKWHEAT FLOUR.—If labeled "Buckwheat Flour" must be true to name. Can be mixed with substances not injurious to health if labeled "Buckwheat Flour Compound," "Buckwheat Flour Substitute," or "Adulterated Buckwheat Flour," in letters not less than one inch in length, followed by the name and address of the maker. Buckwheat flour containing no other ingredients but for leavening and seasoning purposes may be sold if labeled "Self-rising Buckwheat Flour."

BUTTER.—Must be made exclusively of milk or cream. May be colored with coloring matter not injurious to health. Butter factories where milk or cream is purchased of or contributed by three or more persons must register with the department on or before April 1 of each year.

Process butter must be labeled as such. See ruling under head of Process Butter.

CANDY.—Must not contain terra alba, barytes, talc, or other earthly or mineral substances, or any poisonous colors or flavors, or ingredients detrimental to health.

CATSUP.—All packages containing same must bear the name and address of the manufacturer. Must contain no ingredients injurious to health.

CHEESE.—Must be made exclusively of milk or cream. Only cheese made from milk from which no cream has been taken can be sold

as or branded "Full Cream Cheese," or "Full Milk Cheese." Cheese factories where milk or cheese is purchased of or contributed by three or more persons must register with the department on or before April 1 of each year. Authorized brands bearing the words "Michigan Full Cream Cheese" may be obtained from the department upon payment of fee of one dollar.

COFFEE.—If sold as such must be true to name. May be mixed with chicory, or other substances not injurious to health, if marked or labeled "Coffee Compound," together with the name and address of the manufacturer or compounder, and have no other label of whatever name or designation. This applies to all packages containing such coffee whether put up for immediate delivery or for stock purposes.

COFFEE SUBSTITUTE.—Mixtures of cereals or other articles sold as substitute for coffee, must be sold as a mixture or compound under an original or coin name and not under the name of any ingredient contained therein. All packages containing same must bear the name and address of the manufacturer or compounder thereof.

CHOCOLATES AND COCOAS.—If containing no other substances than cocoa mass, sugar and flavoring will not be classed as a compound or mixture.

CANNED GOODS.—Must bear name and address of packer. If dried before canning must be labeled "Soaked or Bleached Goods" in letters not less than two line pica in size. The sale of peas or other vegetables greened with copper is prohibited.

CREAM OF TARTAR.—Must be pure and true to name. Cannot be mixed or compounded with any other article and sold under the name of any ingredient thereof, even though it be labeled mixture or compound.

EXTRACTS, FLAVORING.—Bottles or packages containing extracts must bear the name and address of the manufacturer. Vanilla flavoring must be without artificial color. This includes all extracts of vanilla or tonka, whether mixed or simple.

Extracts made of more than one principle must be labeled with the name of each principle, or simply with the name of the inferior or adulterant. For example: An extract made from vanilla and tonka must be labeled "Extract of Vanilla and Tonka," or simply "Extract of Tonka." The labeling of an extract of vanilla and tonka as "Extract of Vanilla," or "Compound Extract of Vanilla" with the per cent of each ingredient contained therein, is not proper, and will be considered an adulteration. In all cases, it is understood that when an extract is labeled with two or more names, the type used is to be similar in size, and the name of one of

the articles used is not to be given greater prominence than another. Extracts that are not made from the fruit, berry or bean, and are made artificially, such as raspberry, strawberry, pineapple, banana, etc., containing ingredients injurious to health, are prohibited.

FARINACEOUS GOODS.—Must be true to name. Barley, hominy, cracked or rolled wheat or oats, tapioca, and like articles, must be pure and unadulterated. If mixed or compounded with other articles, must be sold as a mixture or compound, under an original coin name, and not under the name of any ingredient contained therein. All packages containing mixtures or compounds of this kind must bear the name and address of the manufacturer or compounder thereof.

HONEY.—Must be pure. Cannot be mixed with glucose or other substances and sold as "Honey Compound."

JELLY.—Imitation fruit jellies, butter or other similar compounds made or composed in whole or in part of glucose, dextrine, starch or other substances, can be sold if uncolored, are not injurious, and are distinctly and durably labeled "Imitation Fruit Jelly or Butter," with the name and location of the manufacturer, and have no other label of whatever name.

LARD.—Imitation lard in manufacturers' package must be distinctly branded or labeled either "Lard Compound," "Adulterated Lard" or "Lard Substitute," printed in letters not less than one inch in length. This also applies to smaller quantities when put up for immediate delivery.

LIQUORS.—Spirituos, fermented, or malt liquors must not contain drugs or ingredients deleterious to health. Persons engaged in manufacturing, rectifying or preparing same in any way must brand on each barrel, cask or vessel containing same, the name of the person, firm or corporation manufacturing, rectifying or preparing the same, and also the words, "Pure and Without Drugs or Poison." No person shall sell at wholesale or retail any such liquors from any barrel, cask or vessel, unless the same shall have been branded and marked as aforesaid.

MAPLE SUGAR AND MAPLE SYRUP.—Must be pure and true to name. Cannot be mixed with other sugar or syrup and sold as "Maple Sugar Compound."

MILK.—Must contain not less than 3 per cent fat and 12 1-2 per cent solids. Milk from which cream has been removed must be labeled and sold as "Skim Milk." The sale of milk which is impure, unwholesome or adulterated, or from cows which are diseased, or fed upon the refuse of a distillery or brewery, or upon any substance deleterious to the quality of the milk, such as garbage, swill or any substance in a state of fermentation or putrefaction, or from

cows kept in connection with a family in which there is infectious disease, is prohibited. The addition of coloring matter or preservatives to milk is prohibited.

MOLASSES.—Must be branded with its true and appropriate name, and must be true to same. (See syrup.)

OLEOMARGARINE. All compounds of animal or vegetable fats made in imitation or semblance of butter, or calculated to be used as or for butter, must be known and designated as "Oleomargarine."

The use of the name of any breed of dairy cattle, or the use of any words or symbols commonly used in the sale of butter, is forbidden in the sale, exposure for sale or advertisement of any oleomargarine.

Proprietors of any place where oleomargarine is sold or furnished must have conspicuously placed on the walls of the room where the same is sold or furnished, a white placard containing the words, "Oleomargarine Sold or Used Here," printed in black ink in plain Roman letters, not less than three inches in length or less than two inches in width. This applies to hotel, restaurant and boarding house keepers where oleomargarine is served.

All packages containing oleomargarine must be branded as such in ordinary bold-faced capital letters not less than five line pica in size, together with the name and address of the manufacturer and the name of each and every article or ingredient used or entering into its composition in ordinary bold-faced letters not less than pica in size.

Dealers must notify purchasers at the time of selling oleomargarine by verbal notice that the same is a substitute for butter, and must also deliver to the purchaser a separate and distinct label on which shall be printed in black ink in ordinary bold faced capital letters, not less than five line pica in size, the word "Oleomargarine," together with the name and address of the manufacturer and the name of each article used and entering into its composition in ordinary bold-faced letters not less than pica in size. This label must be delivered in addition to the label contained on the package in which said oleomargarine is wrapped for sale.

Oleomargarine must not contain artificial coloring matter.

PANCAKE FLOURS.—If containing more than one article must be sold as a mixture or compound under an original or coin name, and not under the name of any ingredient contained therein. Packages containing same must bear the name and address of the manufacturer or compounder.

PREPARED MUSTARD.—Pure mustard mixed with vinegar and spices may be sold if labeled "Prepared Mustard" and bear the name and

address of the manufacturer, but if any substance or substances are added to cheapen it, such as flour, etc., it will be deemed adulterated. The label proper must contain the words "Prepared Mustard," and have no other designation than herein required. Printed matter descriptive of the goods will be allowed upon the label below the words "Prepared Mustard," or below the name and address of the manufacturer, but no printed matter of any description will be allowed above the name "Prepared Mustard."

PROCESS BUTTER.—All packages containing same sold, offered or exposed for sale, or in possession with intent to sell, must be labeled "Process Butter."

Packages put up for immediate delivery must be covered by wrappers on which must be printed in conspicuous letters the words "Process Butter."

If packed in tubs or other receptacle the words "Process Butter" must be printed in one-inch letters on the top and two sides of the same.

If uncovered and not contained in a tub or receptacle a placard containing the words "Process Butter" must be attached to the mass, in a manner making them plain and prominent.

SYRUPS.—Each barrel, cask, can, keg or pail containing molasses, syrup or glucose shall be distinctly branded or labeled with the true and appropriate name of such article. Packages containing molasses or syrup mixed with glucose shall be branded or labeled "Glucose Mixture" and the per cent in which glucose enters into its composition. All brands or labels shall

be in letters of not less than one-half inch in length and shall be in a conspicuous place. Glucose and glucose mixtures shall have no other designation than herein required. Glucose mixtures must bear the name and address of the manufacturer.

SPICES.—Must be pure and true to name. Cannot be mixed or compounded with any other article and sold under the name of any ingredient thereof, even though the package be labeled mixture or compound.

VINEGARS.—All packages containing vinegar must be branded with the name and address of the manufacturer. All vinegars must contain not less than four per cent by weight of absolute acetic acid and must not contain any preparation of lead, copper, sulphuric acid, or ingredient injurious to health. All vinegars made by fermentation and oxidation must be branded "fermented vinegar," with the name of the fruit or substance from which the same is made, must be free from foreign substance and must contain not less than one and three-fourths per cent by weight of solids contained in the fruit or grain from which said vinegar is fermented, and not less than two and a half tenths of one per cent ash or mineral matter, the same being the product of the material from which said vinegar is manufactured. All vinegars made wholly or in part from distilled liquor must be branded "distilled vinegar," and must be free from artificial coloring matter. Only vinegar made from pure apple juice, free from foreign substances, drugs or acids, and containing not less than one and three-fourths per cent by weight of cider vinegar solids, can be sold as apple, orchard or cider vinegar.



GOLDEN RUSSET CIDER IN WOOD.

OLD TIME HARD CIDER in Wood.

CRABAPPLE CIDER in Wood.

CIDER VINEGAR in Casks

containing 45 to 50 gal-

lons each.

MILLS:
SOUTH HAVEN,
MICH.

Barrett & Barrett.

**GOLDEN
RUSSET CIDER
IN GLASS.**

**OLD TIME HARD CIDER
IN GLASS.**

CRABAPPLE CIDER IN GLASS.

Write for Prices.

WAREHOUSE: CHICAGO

THE DAIRY AND PURE FOOD LAWS OF MINNESOTA.

In the state of Minnesota the inspection of articles of food, and food supplies, is committed to a State Dairy and Food Commission. The staff of the State Dairy and Food Commission is composed of the following members:

W. W. P. McConnell, commissioner.

George L. Dingman, assistant commissioner.

W. W. Wall, secretary.

Julius Hortvet, chemist.

F. W. Bedford, assistant chemist.

Mary E. Murphy, stenographer.

CREAMERY EXPERTS.

B. D. White . . . Experimental Station

Samuel Haugdahl . . . St. Peter

CHEESE INSPECTORS.

H. E. Vroman . . . Cannon Falls

CREAMERY AND FOOD INSPECTORS.

W. L. Chappell . . . Fergus Falls

H. E. Vroman . . . Kasson

FOOD AND DAIRY INSPECTORS.

George H. Staples . . . Mendota

Sam B. Scott . . . Zumbrota

Otto Gafvert . . . Duluth

Chas. Roulean . . . St. Paul

THE PURE FOOD LAWS OF MINNESOTA ARE IN SUBSTANCE AS FOLLOWS:

GENERAL ACT BY WHICH THE DAIRY AND FOOD DEPARTMENT WAS CREATED. CHAPTER 295, GENERAL LAWS OF MINNESOTA, 1899-1901.

"An Act to prevent fraud in the sale of dairy products, their imitation or substitutes, to prohibit and prevent the manufacture or sale of unhealthy or adulterated dairy products, and to preserve the public health."

Sec. 1 provides that the governor shall appoint a state dairy and food commissioner for two years, at a salary of \$1,800 per annum, and necessary expenses. His duties are to enforce all laws regarding the production, manufacture and sale of dairy products, their imitations and substitutes and food prepared therefrom, and to prosecute persons engaged in the manufacture or sale of any impure, adulterated or counterfeit dairy products, offered for sale or sold contrary to the laws. Said commissioner holds his office at the pleasure of the governor. He may appoint a secretary at a salary of \$1,200 per annum, an assistant commissioner at \$1,500 per annum, one chemist at \$1,500 per annum, an assistant chemist at \$100 per month, and such inspectors as may be necessary at \$100 per month and necessary expenses.



W. W. P. McCONNELL,
Minnesota Dairy and Food Commissioner.



GEORGE L. DINGMAN,
Assistant Minnesota Dairy and Food Commissioner.



W. W. WALL,
Secretary Minnesota Dairy and Food Commission.



JULIUS HORTVET,
Chemist Minnesota Dairy and Food Commission.

MINNESOTA DAIRY AND FOOD COMMISSION.

There is an annual appropriation for the execution of the dairy laws of \$15,000, to be paid by the treasurer on the warrants of the state auditor.

NOTE—By the act of Legislature of 1889, chapter 273, General Laws, there was appropriated for the enforcement of pure food laws the sum of \$3,000 annually, and by the general appropriation bill of 1901 there was added \$5,000 annually for the two years commencing July 1st, 1901. To the appropriation for the enforcement of the dairy and pure food laws for the fiscal years of 1901 and 1902, and for the same period the salary of the commissioner was made \$2,000 per year. This makes the total appropriation for the fiscal years 1901 and 1902 \$23,000 per year, and the extra salary of the commissioner \$200 per year for the fiscal years of 1901 and 1902.

Said commissioner is required to make biennial reports to the legislature as to his work, and also as to the number of inspectors employed and in regard to their salaries, etc.

Sec. 2. Provides that the commissioner and his assistants have access, ingress and egress to all places of business, including factories, farms, buildings, carriages and cars used in the manufacture, sale or transportation of any dairy product or any substitute therefor or imitation thereof, and also to all restaurants, dining halls, cafes, hotels and all rooms thereof, and all other places wherein food is prepared, stored or served to patrons. They have power to open any package, can or vessel containing such articles hereinbefore specified, and may take samples therefrom for analysis. All dealers, clerks, bookkeepers, express agents railroad officials, etc., are required to assist them in discovering the presence of any article prohibited by law.

Sec. 3. Provides that in case of refusal or neglect on the part of such persons to assist said commissioner or assistants they shall be deemed guilty of a misdemeanor.

Sec. 4. Provides against the possession, sale or delivery of any unclean, impure, unhealthful, unwholesome or adulterated milk or cream.

Sec. 5. Provides against the keeping of milk cows in a crowded condition, or in stables which are not perfectly ventilated and free from animal refuse. Also that milk shall not be used from cows affected with tuberculosis, ulcers, etc., or which are fed upon distillery waste, or brewery grains, or the waste of vinegar, or that of sugar factories, not properly preserved in silos; or from cows within fifteen days before and five days after parturition; or milk which is shown to contain more than eighty-seven per centum of water fluids or less than thirteen per centum of milk solids; three and a half per centum shall be fat; other milk than

this is declared to be adulterated. Possession of any other milk by persons producing same for sale or exchange, or for manufacturing the same into food, which shall not meet the requirements of this act is *prima facie* evidence of an intent to use the same contrary to the provisions of the law.

Sec. 6. Prevents the manufacture of any article of food from unwholesome, impure or unclean milk or cream.

Sec. 7. Provides against the sale or possession with intent to sell any cream taken from impure or diseased milk or cream containing less than twenty per cent of fat.

Sec. 8. Provides against the sale of skim milk or the possession thereof with intent to sell, without first marking the vessel containing said milk with the words "skimmed milk" in letters one inch high and one-half inch wide printed on the top or side of said vessel.

Sec. 9. The state standard milk measures or pipettes shall have for milk a capacity of seventeen and six-tenths cubic centimeters, and for cream a capacity of eighteen cubic centimeters, and state standard test tubes or bottles for milk shall have a capacity for two cubic centimeters of mercury at a temperature of sixty degrees Fahrenheit between "zero" and ten on the graduated scale marked on the necks thereof; and the standard test tubes or bottles for cream shall have a capacity of six cubic centimeters of mercury at a temperature of sixty degrees Fahrenheit between "zero" and thirty on the graduated scale marked on the necks thereof, and it is hereby made a misdemeanor to use any other size of milk measure, pipette, test tube or bottle to determine the per cent of butter fat in creameries and cheese factories. A violation of this section is a misdemeanor punishable as provided in section 30 herein-after quoted.

Sec. 10. Provides against the manipulation or under-reading the Babcock test by the owner or employe of a creamery or cheese factory.

Sec. 11. Prevents the manufacture for sale, advertisement or sale of any mixture for use as an adulterant of or preservative of milk, butter or cheese; also prevents adding to milk, butter or cheese, or during their manufacture, boric acid, salicylic acid, formaldehyde acid, formalin, or any other adulterant, anti-ferments or preservatives. Provided, however, that this section shall not apply to pure salt added to butter and cheese.

LICENSES.

Sec. 12. Provides that licenses for the sale of milk in cities having a thousand inhabitants or more shall be taken annually on the first day of May, or within thirty days thereafter, from the state dairy and food commissioner at the rate of one dollar for each and every carriage,

cart or vehicle employed in such business. Licenses are limited to the owners of such carriages, carts or vehicles, and possession of said licenses is *prima facie* evidence of the ownership; prevents assignment thereof; provides that the same shall record the name, residence, place of business, number of vehicles, names of drivers and deliverers and number of the license. Provides that name of owner and number of license and place of business shall be legibly placed on each vehicle, and that owner shall report to state dairy and food commissioner any change of driver, or other person employed by him during term of license. Exempts keepers of not more than one cow from the provisions of this section.

Sec. 13. Provides that every person before selling or offering milk for sale or having it in his possession with intent to sell shall procure a license as aforesaid.

Sec. 14. Provides that no person or his agent shall sell, supply or bring to be manufactured to any butter or cheese manufactory any milk diluted, or skimmed or adulterated milk (except pure skim milk to skim cheese factories), or shall keep back "strippings," or shall bring or supply sour milk to any such manufactory (except as aforesaid). No butter or cheese manufactories, except those which buy all the milk they use, shall use for their own benefit or allow any of their employes or any other person to use any of the milk or cream brought to said manufactories or the product thereof without consent of the owners thereof. Every butter and cheese manufacturer, except those who buy all the milk they use, shall keep a record of all milk daily received, of the number of pounds and packages of butter, and the number and aggregate weight of cheese made each day, and the number of packages of cheese or butter disposed of, which record shall be open to inspection to every person who delivers milk to such manufacturer.

Sec. 15. Provides that no person shall manufacture for sale, have in his possession with intent to sell, or offer to sell as butter or cheese any substance not the exclusive and legitimate product of milk or cream.

Sec. 16. Prevents the sale of any mixture or compound which is designed to take the place of butter or of cheese which is made from animal or vegetable oils or fats, or consists in part of butter or of cheese with other substances; prevents any person from mixing, compounding with, or adding to milk, cream, butter or cheese any animal or vegetable oils or fats for the purpose of producing imitations of butter or of cheese; nor shall any person coat, powder or color with annatto or with any other coloring matter whatever butterine or oleomargarine or any compound of the same or any article or compound

made from animal or vegetable oils or fats not produced from milk or cream for the purpose of resembling butter or cheese; sale is prohibited whether such articles or substances have been made in this or any other state or country; any manufacturer having in his possession any of the substances in this section prohibited in the manufacture or production of the articles herein specified is *prima facie* guilty of an intent to violate this section.

Sec. 17. The state dairy and food commissioner shall issue to cheese manufacturers a uniform stencil brand bearing a suitable device or motto and the words "Minnesota Full Cream Cheese." Every brand issued shall be used upon the package containing the same, and bear a different number for each separate manufacturer, and the commissioner shall keep a book in which shall be registered the name, location and number of each manufacturer using said brand. It is unlawful to use said stencil upon any other than full cream cheese.

Cheese branded "Minnesota Full Cream Cheese" shall contain not less than forty-five per centum of fats to total solids, and all other cheese containing less per centum of fats shall be deemed adulterated.

Sec. 18. Provides that cheese containing less than forty-five per centum of fats is declared to be skim cheese, and shall be so stenciled, in black letters one and one-half inches in length upon the circumference of the cheese and upon the outer surface of package containing same. Persons selling or having in possession with intent to sell skim cheese not stenciled as herein required shall be guilty of a misdemeanor.

Dealers in skim cheese are required to have posted in a conspicuous place upon the walls of the warehouse cards upon which shall be printed in large type the words "Skim Cheese Sold Here."

Sec. 19. Provides against the sale or possession with intent to sell cheese branded or labeled with a false brand, either as to quality or county or state in which the article is made.

Sec. 20. Provides that hotel keepers and keepers of public houses or boarding houses, or lumber camps supplying guests or boarders with any oleaginous substance, or any compound of the same, or any other compound other than that produced from unadulterated milk, or of cream from the same, or any imitation of butter, shall cause to be plainly printed upon every bill of fare in capital letters no smaller than those known as nonpareil Celtic, in the English language, the words "Oleomargarine (or butterine) used as a substitute for butter." Where no bill of fare is used the proprietor or keeper shall cause to be placed on each and every side of the dining room or sitting room, where the same may be easily seen, a card containing

the words as aforesaid; and shall continue to keep the same posted while such compounds are kept and used.

This section shall not invalidate sections 15 and 16 of this act.

Sec. 21. The state commissioner shall provide blanks to proprietors and managers of creameries and cheese factories, for the purpose of making a report of the amount of milk or dairy goods handled, and such statistical information as the commissioner may require, such reports to be made on the first day of November of each year to said commissioner.

Sec. 22. The commissioner or his assistants shall seize and take possession of any and all food or dairy products, or substitution or imitation thereof, kept for sale or for a purpose contrary to the provisions of this act. Such seizure may be had without warrant, the commissioner and his assistants having the authority of constables. Any court having jurisdiction, upon receiving proof of probable cause, shall issue a search warrant for the discovery and seizure of articles kept in violation of this section.

Sec. 23. All such warrants shall be directed to the commissioner or his assistants, or the sheriff or constable, commanding such commissioner or his assistants to search the house or place where such products are believed to be concealed, and to bring such products when found and the person in whose possession the same are found before said court.

Sec. 24. Provides that when the officer in execution of any search warrant issued under this act seizes any product the same shall be kept by the direction of the court or magistrate so long as it is necessary for the purpose of being produced in evidence in any trial, and if it shall, in addition to other penalties, order that said property be forfeited to the state, and that the same shall be sold for any purpose other than to be used as food and the proceeds thereof paid into the state treasurer to the credit of the food commissioner's fund.

Sec. 25. Prevents the effacement, erasure, cancellation or removal of any mark, stencil, or label provided for by this act.

Sec. 26. Provides that the doing of anything prohibited, and the not doing of anything directed to be done by this act shall be *prima facie* evidence of a wilful intent to violate the provisions hereof.

Sec. 28. Provides that the certificate of the chemist making the analysis in all prosecutions under this act is *prima facie* evidence of the facts certified.

Sec. 29. Provides that all moneys and fines collected under this act shall be paid into the state treasurer to the credit of the state dairy and food commissioner's fund.

Sec. 30. Provides that it is a misdemeanor to violate any of the provisions of this act, and the punishment is by fine of not less than \$25 nor more than \$100, or by imprisonment of not less than thirty days nor more than ninety days.

Sec. 31. Chapter 1, General Laws, and all acts and parts of acts inconsistent with the provisions hereof are repealed.

OLEOMARGARINE ACT.

Sec. 1. Prevents the rendering, manufacturing, selling, or offering for sale, or having in possession with intent to sell, any article or compound made out of any fat or oleaginous substances not produced from unadulterated milk or cream which shall be made in imitation and colored to resemble yellow butter produced from unadulterated milk or cream.

Sec. 2. Provides that for the violation of section 1 a penalty is imposed of a fine not less than \$50 nor more than \$100, or by imprisonment in the county jail for a term not exceeding sixty days.

Sec. 3. Provides that this act shall not be construed as repealing any existing act, but the same shall be deemed in addition thereto.

RENOVATED BUTTER LAWS.

Sec. 1. Prevents the manufacture or sale of butter that is produced by taking original packed butter or other butter, or both, and melting the same so that the butter fat can be drawn off or extracted, then mixing the said butter fat with skimmed milk, or milk, or cream, or other milk product, and rechurning or reworking the said mixture, or that produced by any process that is commonly known as boiled, process or renovated butter, unless the same is branded or marked as provided in section 2 hereof.

Sec. 2. Prevents the sale or delivery of renovated butter as defined in section 1, unless the words "Renovated Butter" shall be plainly branded with Gothic or bold face letters at least three-quarters of an inch in length on the top and side of each tub or box, or pail or package, or on the wrapper or prints or rolls containing it. If such butter is exposed for sale uncovered, a placard containing the label so printed shall be attached to the mass of butter so that the same may be easily read. Branding or marking packages shall be in the English language and in a conspicuous place.

Sec. 3. Provides that it is the duty of the state dairy and food commissioner to enforce the provisions of this act. Security for costs shall not be required of the complainant in any case at any stage of the prosecution on trial.

Sec. 4. It is a misdemeanor to violate any provision of this act, punishable by a fine of not less than \$25 nor more than \$50 and costs, or by imprisonment not to exceed two months.

Sec. 5. Provides that the commissioner and his assistants have full access and ingress to all

places of business and factories used for the manufacture or sale of said butter. They also have the power to open any tub, case, or package containing said butter offered for sale in violation of this act.

PRESERVATIVES ACT.

Sec. 1. Amends chapter 257, General Laws of 1899, as follows:

Sec. 2. Provides that it is a misdemeanor for any person to sell, offer for sale, or consign, or have in his possession with intent to sell, any milk, cream or food products of any nature whatever, butter, cheese, or any other dairy products, or who shall deliver to any creamery or cheese factory milk or cream to which has been added any preparation in powdered or liquid form known as preservatives, or any other compounds containing antiseptics punishable by a fine of not less than \$25 nor more than \$100. This act does not prohibit the use of salt in butter.

Sec. 3. Provides that the state dairy and food commissioner shall enforce the provisions of this act.

Sec. 4. Provides that the costs in prosecutions hereunder shall be paid as provided by law, and fines resulting therefrom shall be paid into the state treasurer to the credit of the state dairy and food commissioner's fund.

"PROCESS" BUTTER ACT.

Sec. 1. Provides that any person who shall manufacture imitation butter, or butter made of part cream and part casein or other ingredients under the "Quinness patent," or any similar process, whereby the casein or milk or other ingredients are made to imitate and resemble genuine butter, shall stamp each package on the top and sides with lamp black and oil with the words "Patent Butter" in letters at least one-quarter of an inch wide and one-half of an inch long. It is a misdemeanor to violate this section, punishable by a fine of not less than \$25 nor more than \$100.

Sec. 2. Provides that any person selling imitation or patent butter shall give to the purchaser a printed card stating correctly the different ingredients contained in said compound. It is a misdemeanor to violate this section, punishable as in section 1.

DUTY OF WASHING VESSELS USED IN TRANSPORTING MILK OR CREAM.

Sec. 1. Provides that any person who receives milk or cream in cans, bottles or vessels from any railroad or boat line, where such cans, bottles or vessels are to be returned, shall cause the same to be emptied before said milk or cream sours, and shall cause said cans, bottles or vessels are to be returned, shall cause the same to be emptied before said milk or cream sours, and shall cause said cans, bottles or vessels to be immediately washed and thoroughly aired.

Sec. 2. Provides that it is a misdemeanor to violate the foregoing section, punishable by a fine of not less than \$25 nor more than \$50, or by imprisonment of not less than fifteen nor more than thirty days for the first offense, and by imprisonment for the second and each subsequent offense.

Sec. 3. Provides that the state dairy and food commissioner is charged with the enforcement of this act.

Sec. 4. Provides that in prosecutions hereunder costs shall be paid as provided by law, and fines shall be paid into the state treasurer to the credit of the state dairy and food commissioner's fund.

INSPECTION OF MILK DAIRIES AND DAIRY HERDS.

Sec. 1. City councils may ordain for the inspection of milk and of dairies, and of dairy herds, and issue the licenses, and may authorize the Board of Health to enforce laws and ordinances relating to the sale of milk and inspection of dairies and dairy herds, and may appoint such inspectors, experts and chemists as are necessary for the enforcement of such laws, and fix their compensation, provided no such ordinances shall conflict with any state law.

Sec. 2. Provides that this act shall not interfere with the powers or duties of the state dairy and food commissioner.

PURE FOOD LAWS.

Sec. 1. Amends section 6625 of the General Statutes of 1894 as follows:

It is a misdemeanor to adulterate wine, milk, distilled spirits, or malted liquor, or any drug, medicine, food or drink for man or beast; or to offer for sale the same as unadulterated and undiluted without informing the purchaser thereof that the same has been adulterated or diluted.

BAKING POWDER.

Sec. 1. Prevents the manufacture or sale of baking powder containing alum, unless the same be labeled as hereinbefore required, and declares the violation of this section a misdemeanor punishable by a fine not less than \$25 nor more than \$100 and costs, or by imprisonment in the county jail not exceeding thirty days.

Sec. 2. Provides that every person manufacturing baking powder which contains alum shall have a label upon the outside and face thereof in type not smaller than "Long Primer Caps," with the name and residence of such manufacturer and the words "This baking powder contains alum." It is a misdemeanor to violate this section, punishable by a fine of not less than \$25 nor more than \$100 and costs, or by imprisonment in the county jail not to exceed thirty days.

NOTE.—Amended chapter 119, General Laws 1891, and “brevier heavy Gothic caps” inserted in place of “long primer.”

Sec. 3. Provides that the possession of the articles and substances described in the foregoing section is considered *prima facie* evidence of the violation of this act; and the state dairy and food commissioner or his employes may seize such articles or substances, and upon order of court may sell the same after giving notice of the time of such sale and that such compound or substances contain alum, and the proceeds thereof shall be placed to the credit of the state dairy and food commissioner's fund.

Sec. 4. Provides that the district and municipal courts and justices of the peace shall have full jurisdiction for any violation of this act.

Sec. 5. Provides that costs shall be paid as provided by law in prosecutions hereinunder, and the fines be placed to the credit of the state dairy and food commissioner's fund.

NOTE.—Chapter 7, General Laws of 1899, so far as it relates to baking powder, is superseded by the following:

(Chapter 245, General Laws 1899).

Sec. 1. Provides for the protection of the public against the manufacture or sale of baking powders which are impure, unless labeled as hereinafter required and directed, and declares it a misdemeanor to violate this section punishable by a fine of not less than \$25 nor more than \$100 and costs, or by imprisonment in the county jail not exceeding 30 days.

Also that if any person shall manufacture or sell such baking powder, or imitations thereof, they shall be deemed guilty of a misdemeanor, and upon conviction shall for each offense be punished by a fine not less than \$25 nor more than \$100 and costs, or by imprisonment in the county jail not exceeding 30 days.

Sec. 2. Provides that every person manufacturing or selling or offering for sale any baking powder shall affix to every box and package containing same a white or light colored label, upon the outside of which is distinctly printed in the English language with black ink, in legible type no smaller than “brevier heavy Gothic caps,” the name and residence of the manufacturer and the words “This baking powder is composed of the following ingredients and none other”; and immediately after said words shall be printed upon said light colored label the true and correct name of each and all of the ingredients contained in or constituting a component part of such baking powder. It is a misdemeanor to violate this section punishable by a fine of not less than \$25 nor more than \$100 and costs, or by imprisonment in the county jail not exceeding 30 days.

NOTE.—An amendment to baking powder

laws was passed by the Legislature of 1901, as follows:

Sec. 1. Substantially the same as section 2, last quoted, excepting that when ingredients are used in the mixture or compound intended for use as baking powder, such ingredients shall be printed by “using the names by which each ingredient is commonly known in trade.” The penalty is the same as in section last quoted.

VINEGARS.

Chapter 7 of the General Laws of 1899, as amended by chapter 119 of the General Laws of 1891, and chapter 330 of the General Laws of 1901.

NOTE.—Beginning at section 6 relates to vinegars, lard and liquors.

Sec. 6. Provides that every person who manufactures or offers for sale as cider vinegar any vinegar not the legitimate product of pure apple juice, known as apple cider, or vinegar into which foreign substances, drugs or acids have been introduced, is guilty of a misdemeanor, punishable by a fine of \$25 nor more than \$100 and costs, or by imprisonment in the county jail not less than 30 nor more than 90 days.

Sec. 7. Prevents the manufacture or sale of vinegar containing lead, copper, sulphuric acid, or other ingredients injurious to health, and fixes the penalty, as a misdemeanor, a fine of not more than \$100 and costs, or imprisonment in the county jail not to exceed 90 days.

Sec. 8. Provides that no person shall sell, exchange or deliver adulterated vinegar, or label, brand or sell as cider vinegar any vinegar except as described in section 6.

Sec. 9. Is the same as section 7, except as to penalty, which is fixed at \$10 nor more than \$100 and costs, or by imprisonment in the county jail not to exceed 90 days.

Sec. 10. Provides that it is a misdemeanor to violate this act, punishable by a fine not exceeding \$100 and costs, or by imprisonment in the county jail not to exceed 90 days.

Sec. 11. Provides that all vinegars shall have an acidity equivalent to the presence of not less than four and one-half per cent of absolute acetic acid, and cider vinegar shall contain in addition not less than two per cent by weight of cider vinegar solids upon full evaporation over boiling water; and if any vinegar contains artificial coloring matter or less than the above acidity, or if cider vinegar contains less than such acidity or of vinegar solids, it is declared to be adulterated. All manufacturers of vinegar and all persons who rebarrel or reduce the same, and persons handling vinegar in lots of one barrel or more, shall stencil or mark in black figures at least one inch in length on the head of each barrel of vinegar bought or sold the kind of vinegar contained therein, with the name of the manufacturer and location of the

factory where the same is made, and the standard strength of the vinegar contained in the package or barrel, which shall be denoted by the number of grains of pure bicarbonate of potash required to neutralize one fluid ounce of vinegar. It is a misdemeanor to violate this act, punishable by a fine of not less than \$25 nor more than \$100 and costs, or by imprisonment in the county jail not less than 30 nor more than 90 days.

Sec. 12. Provides that whoever adulterates, for the purpose of sale, lard with cotton seed oil, or vegetable oils, or terra alba, or any injurious substance, or adulterates any substance intended for food as aforesaid, is guilty of a misdemeanor, punishable by a fine of not less than \$25 nor more than \$100 and costs, or by imprisonment as in section 11.

(NOTE.—Section 13 is amended by Chapter 115 of the General Laws of 1901 immediately following this chapter, so for section 13 read chapter 115 of the General Laws of 1901).

Sec. 14. Provides that the state dairy and food commissioner is directed to enforce the provisions of this law, and to employ such experts and chemists as he may deem necessary and fix their compensation. Expenses authorized by this act shall be paid by the state treasurer on a warrant drawn by the state auditor.

Sec. 15. Provides that the commissioner and his assistants have access, ingress and egress to all places of business, factories and buildings where lard is manufactured or sold, also cases and vessels used in the manufacture or sale of any spirituous, fermented or malted liquors or imitations thereof, or any of the substances or articles mentioned in this act; they have the power and authority to open such packages, car or vessel containing the same, sold or exposed in violation of the provisions of this act, and take samples therefrom for analysis. Clerks, bookkeepers or express agents or railroad officials must assist said officers, and a neglect to do so on the part of said clerks, bookkeepers, etc., is a misdemeanor punishable by a fine not less than \$50 nor more than \$100 for each offense, or by imprisonment for no less than 30 nor more than 90 days in the county jail.

Sec. 16. Provides that the salary of the chemist is not to exceed \$1,500 annually.

In the note cited in the foregoing chapter section 13 referred to is chapter 115 of the General Laws of 1901, and reads as follows:

Sec. 1. Provides that section 13 of chapter 7 of the General Laws of Minnesota for 1899 is amended so as to read as follows:

Sec. 13. Provides that no person shall manufacture, brew, distill or offer for sale any spirituous or fermented or malt liquors containing any drug, substance or ingredient not normal or healthful to exist in spirituous, fermented, or

malted liquors, and the following drugs, substances or ingredients are deemed not normal or healthful to exist in spirituous, fermented or malted liquors when contained in such liquors, to-wit: *Cocculus indicus*, chloride of sodium, copperas, opium, cayenne pepper, picric acid, Indian hemp, strychnine, arsenic, tobacco, dandel seed, extract of logwood, salts of zinc, copper or lead, alum, methyl alcohol and its derivatives, amyl alcohol, and any extract or compound of any of the above drugs, substances or ingredients. It is a misdemeanor to violate this section, punishable by a fine of \$25 nor more than \$100 and costs, or by imprisonment not less than 10 or more than 90 days for the first offense, and \$50 nor more than \$100 or imprisonment not less than 30 nor more than 90 days, or both fine and imprisonment for any subsequent offense.

LARD.

Sec. 1. Provides that no person shall sell for lard any substance not the legitimate and exclusive produce of the fat of a hog.

Sec. 2. Provides that it is a misdemeanor to manufacture or offer for sale as lard, or as a substitute or imitation therefor, any substance which is made from animal or vegetable oils or fats, or consists in part of lard or lard with such animal or vegetable oils or fats, unless same shall be branded or labeled as hereinafter required, punishable as hereinafter provided.

Sec. 3. Provides that any person selling or offering for sale any substance or imitation made in resemblance of lard, consisting of animal or vegetable oils or fats other than hog fat, shall cause the tierce, barrel, tub, pail or package containing the same to be legibly branded or labeled in letters not less than one inch in length with the name of the person or firm making same, together with the location of the manufactory, and the words "Lard substitute," and immediately following the same, in letters not less than one-half inch in length, the names and approximate proportions of the several constituents contained in the mixture or compound.

Sec. 4. Same as section 3, with the exception that the words "Adulterated lard" are used in place of the words "Lard Substitute."

Sec. 5. Provides that every person selling adulterated lard as hereinbefore defined shall affix to the package wherein the same is contained a label upon the outside, on which is plainly, distinctly and legibly printed in letters no less than one-half inch in length the words "Lard substitute" or "Adulterated lard," and immediately following the same, in letters no smaller than long primer, the names and approximate proportions of the several constituents which are contained in the mixture or compound, and shall furnish the purchaser at the time of sale a card upon which is distinctly

printed the name of the article as hereinbefore defined, and a list of the several constituents of the mixture.

Sec. 6. Every person who manufactures or sells, or who serves to guests as keeper of a hotel, restaurant or dining room, articles of food prepared with lard substitutes or adulterated lard, shall furnish a card upon which is distinctly printed the words "This food is prepared with lard substitute (or adulterated lard)," and in case no bill of fare is provided there shall be kept constantly posted upon each of the sides of the dining room cards printed with the words "Lard Substitute (or adulterated lard) is used in the preparation of the food served here."

Sec. 7. Provides that the possession of any substitute for or adulterated lard not branded, upon the part of any dealer therein, is *prima facie* evidence of intent to sell or use the same in an unlawful manner.

Sec. 8. Provides that the district court and justices of the peace have jurisdiction in cases arising hereinunder.

Sec. 9. Provides that the state dairy and food commissioner is charged with the enforcement hereof, and may employ experts and chemists and fix their compensation. Expense accounts shall be paid by the state treasurer upon a warrant by the state auditor.

Sec. 10. Provides that the commissioner and his assistants have access, ingress and egress to all places of business and buildings, and to any packages, car or vessels for the purpose of discovering violations of this act; and all clerks, bookkeepers, railroad officials, etc., must assist them. It is a misdemeanor to violate this act, punishable by a fine of \$25 nor more than \$50 for each offense.

This act shall not apply to cottolene, a compound consisting of a mixture of beef stearine and refined cotton seed oil, where the tierce, barrel, tub, pail or package shall be legibly branded in letters not less than one-half inch in length with the word "Cottolene," and the name and location of the person manufacturing the same; and provided further that said cottolene is not manufactured in imitation of lard.

Sec. 11. Provides that costs in all prosecutions hereunder shall be paid as provided by law, and the fine therefrom be placed to the credit of the state dairy and food commissioner's fund.

Sec. 12. Provides that any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor, punishable by a fine of \$25 nor more than \$100 and costs, or by imprisonment for not less than 30 nor more than 90 days.

AN ACT IN RELATION TO HONEY.

Sec. 1. Prevents the sale of honey compounded or manufactured from or mixed with

glucose, sugar syrup of any kind, or any substance whatever not the legitimate and exclusive product of the honey bee, unless the package containing the same is marked or labeled in heavy Gothic capitals, eighteen point, with the name of the person or persons compounding, manufacturing or mixing the same, and the names of the substances from which the same is manufactured.

Sec. 2. Prevents the sale of honey not made by bees from the natural secretion of flowers and plants, but which has been stored or made by the bees from glucose, sugar, syrup, or any other material or substance fed to them, unless the same is marked, represented and designated as such and bearing a label upon each package, as in section 1 required.

Sec. 3. Provides that it is a misdemeanor to violate sections 1 and 2 hereof, punishable by a fine of \$15 nor more than \$100, or by imprisonment not exceeding 30 days in jail, or both fine and imprisonment.

Sec. 4. Provides that the possession of any honey described in sections 1 and 2 not labeled as provided is *prima facie* evidence that the same is kept in violation hereof.

Sec. 5. Provides that the state dairy and food commissioner is charged with the enforcement of this act.

Sec. 6. The commissioner or his assistants shall have access and ingress to all places of business and buildings where the said honey is kept for sale; they shall have the power to open any package, car or vessel containing the same. Clerks, express agents, bookkeepers, etc., shall assist them in discovering the same. It is a misdemeanor to violate this section, punishable by a fine of \$25 nor more than \$50 for each offense, or by imprisonment in the county jail not less than 30 days nor more than 60 days.

Sec. 7. Provides that in prosecutions under this act the costs thereof shall be paid as provided by law.

AN ACT IN RELATION TO CANDY.

Sec. 1. Prevents the sale of any candy, adulterated by the admixture of terra alba, barytes, talc, or any mineral substance, by poisonous coloring or flavor, or other ingredients injurious to health.

Sec. 2. Provides that it is a misdemeanor to violate this act, punishable by a fine not exceeding \$50 nor less than \$25, or by imprisonment not to exceed 60 days nor less than 30 days. Adulterated candy shall be forfeited and destroyed by directions of the court.

JELLIES.

Sec. 1. Jellies under this act shall include all substances known and recognized in commerce as jellies for human consumption as food, whether they are prepared of animal or vegetable products.

Sec. 2. Prevents the manufacture of food jellies adulterated with any foreign substance, within the meaning of this act, unless the can, jar, glass or package containing same shall be labeled as hereafter required and directed.

Sec. 3. Any food jelly shall for the purpose of this act be deemed adulterated:

1. If any substance shall have been mixed with it so as to lower or depreciate its quality, strength or power.

2. If any inferior substance has been substituted wholly or in part for it.

3. If any necessary ingredient has been abstracted wholly or in part from it.

4. If it is an imitation sold under the name of any other article or substance.

5. If it is treated in any manner whereby its inferiority is concealed, or if made to appear better than it really is.

6. If it contains any added substance poisonous or injurious to health.

Sec. 4. Provides that any person selling a food jelly adulterated as hereinbefore defined shall affix in a conspicuous place upon the can or package containing same a label upon the outside and face of which is printed on a back ground of a single color, in the English language, and in legible type no smaller than double pica, the name and location of the factory and manufacturer manufacturing the same, and the words "Mixture" and "Adulterated," and immediately following below these words the common English name and the quality, grade and net weight of the article claimed to be contained in such can or package.

Sec. 5. Provides that the possession of any article herein described, not labeled as herein required, is *prima facie* evidence of a violation of this act.

Sec. 6. Provides that all persons manufacturing or selling food jellies for export trade outside of this state are exempted from the provisions of this act as to all food jellies as are manufactured or kept for export trade.

Sec. 7. Provides that a certificate of the chemist making analysis, duly sworn to, is *prima facie* evidence of the facts certified.

Sec. 8. Provides that it is a misdemeanor to violate this act, punishable by a fine not less than \$5 nor more than \$50 and costs or by imprisonment not to exceed three months.

Sec. 9. In prosecutions hereinunder costs shall be paid as provided by law, and fines paid into the state treasury to the credit of the state dairy and food commissioner's fund.

Sec. 10. Provides that the state dairy and food commissioner is charged with the enforcement of this act. Upon complaint by him or by anyone authorized by him security for costs shall not be required of the complainant.

Sec. 11. Provides that the commissioner

shall have access and ingress to all places of business, factories and buildings used for the manufacture or sale of food jellies. He shall have authority to open any package, can or receptacle containing any food jelly sold or exposed for sale in violation of the provisions hereof.

FLAX SEED AND LINSEED OIL.

Sec. 1. Prevents the manufacture or sale of any flax seed or linseed oil, unless the same answers a chemical test for purity recognized in the United States Pharmacopoeia, and any other test that will discover adulterations in linseed oil. Linseed oil showing more than two per cent shrinkage when subjected to an evaporation test by exposing it to a temperature of three hundred or more degrees of heat, Fahrenheit, for a period of three hours, is declared to be adulterated.

Sec. 2. Prevents the sale of flax seed or linseed oil under any other than its true name, and requires that each tank car or vessel of such oil shall be distinctly and durably painted, stenciled or labeled with the true name of such oil in ordinary bold-faced capital letters the words "Pure linseed oil, raw"; or "Pure linseed oil, boiled"; and the name and address of the manufacturer with his brand.

Sec. 3. Provides that anyone who shall sell without stamp as herein required or false stamp, or label tank cars, kegs or other vessels containing flax seed or linseed oil, or violate any provisions of this act, is guilty of a misdemeanor and punishable by a fine of not less than \$25 nor more than \$50; in default of the payment of which he shall be committed to the county jail for a period of not less than 30 days. The state dairy and food commissioner is charged with the enforcement hereof. He shall have access, ingress and egress to all places of business, where the same is kept for sale or stored. He has authority to open any tank, car tank, keg or any vessel of such oil and take samples therefrom for analysis. Clerks, bookkeepers, etc., shall assist him in discovering the presence of adulterated oils.

Sec. 5. Costs in prosecutions shall be paid as hereinbefore provided under other sections of this act.

SPICES AND CONDIMENTS.

Sec. 1. The term "Spices and condiments" as used herein shall include all substances known and recognized in commerce as spices and used as condiments, whether in their natural state, or in the form which would result from the grinding, milling or mixing or the compounding of the natural product.

Sec. 2. Prevents the manufacture or sale of such spices or condiments either ground or unground, adulterated with any foreign substance within the meaning of this act, unless

the package or box containing same shall be labeled or branded as hereinafter directed.

Sec. 3. Provides that any spices or condiments shall be deemed adulterated:

1. If any substances have been mixed with it so as to lower or depreciate its quality, strength or purity.

2. If any inferior or cheaper substances have been substituted wholly or in part for it.

3. If any necessary component has been abstracted from it wholly or in part.

4. If it is an imitation of any other substance or article.

5. If it is colored, powdered or treated whereby damage or inferiority is concealed, or if made to appear better than it really is.

6. If it contains any foreign substance poisonous or injurious to health.

Sec. 4. Provides that any person selling or delivering any spice or condiment adulterated as hereinbefore defined shall label on the outside and face of each package containing the same, upon a background of a single color, in the English language and in legible type no smaller than double pica, the name and location of the manufacturer or person, firm or corporation manufacturing same, and the words "Mixture" and "Adulterated" and the common English name of the spice or condiment which said box or package contains, also the net weight of the package shall be printed on the label.

Sec. 5. Provides that possession of any article adulterated as herein described and not labeled is *prima facie* evidence of a violation of this act.

Sec. 6. Provides that it is a misdemeanor to violate this act, punishable by a fine of \$10 nor more than \$50 and costs, or by imprisonment not less than 30 days.

Sec. 7. Costs in prosecutions hereunder shall be paid as hereinbefore provided under other sections.

Sec. 8. The state dairy and food commissioner is charged with the enforcement hereof. No security for costs shall be required upon his complaint or that of anyone authorized by him.

Sec. 9. He has ingress and egress to all places of business used for the manufacture or sale of spices or condiments, and shall have authority to open any package, box or can containing same.

MAPLE SUGAR AND SYRUP.

Sec. 1. Prevents the manufacture or sale as pure maple sugar or as pure maple syrup of any substance not the legitimate product of the sap of the maple tree, free from tannic acid, starch, glucose and glucosides or mineral acids, and all foreign ingredients injurious to health. Provided, that the manufacture or sale within this state is not prohibited as to maple syrup

or maple sugar made in part of pure maple sugar or pure maple syrup combined with other substances not injurious to public health which is labeled on the outside of each can, bottle, or other receptacle of any nature whatsoever according to law. The label shall be affixed in a conspicuous manner, and shall contain the words "This maple sugar or maple syrup (as the case may be) is composed of the following ingredients and none other," and immediately after said words shall be printed upon said label the correct names of each ingredient constituting a component part of such maple sugar or maple syrup and the name and residence of the manufacturer. The labels shall be printed in the English language in letters no smaller than bevier heavy Gothic capitals.

Sec. 2. The having in possession by any person, firm or corporation of any maple sugar or maple syrup not labeled in accordance with the provisions of section 1 is *prima facie* evidence of a violation of this act.

Sec. 3. Provides that the certificate of the chemist is *prima facie* evidence of the facts certified.

Sec. 4. It is a misdemeanor to violate this act, punishable by a fine of \$10 nor more than \$50 and costs, or imprisonment not exceeding 90 days.

Sec. 5. The state dairy and food commissioner is charged with the enforcement hereof. When complaint is made by him or his assistants security for costs shall not be required.

Sec. 6. The commissioner has the right of ingress and egress to all places of business where said sugar or syrup is manufactured or sold, and the right to open packages containing the same.

FRUIT JAMS AND PRESERVES.

Sec. 1. Prevents the manufacture or sale of any fruit jams or fruit preserves composed of any ingredient other than fruit and granulated sugar, except such ingredient be not injurious to public health, and shall be labeled in a conspicuous place on the sides of either can, jar, or other package of the same in the English language in bold-faced legible type no smaller than double pica with the name and residence of the person, firm or corporation manufacturing the same. Provided, further, that on a separate label of white or light colored background in bold-faced type not less than one-half inch in length is printed the words in capitals "Mixed and adulterated." Said label shall be securely affixed.

Sec. 2. Provides that the possession of any article which is described as adulterated which is not labeled as required is *prima facie* evidence of a violation of this act.

Sec. 3. Provides that the provisions of this

act shall not apply to persons manufacturing fruit jams or fruit preserves for export trade.

Sec. 4. Provides that the certificate of the chemist is *prima facie* evidence of the facts certified.

Sec. 5. Provides that it is a misdemeanor to violate this act, punishable by a fine of not less than \$10 nor more than \$50 and costs, or by imprisonment not to exceed three months.

Sec. 6. Provides that the state dairy and food commissioner is charged with the enforcement hereof. No security for costs shall be required when he or his assistant is complainant.

Sec. 7. The commissioner and assistants have access, ingress and egress to all places of business where fruit jams or fruit preserves are manufactured or sold. They have also the power to open any package containing the same.

WHITE LEAD AND MIXED PAINTS.

Sec. 1. Prevents the manufacture or sale of white lead paint branded or marked as "Pure" and "Strictly Pure" which contains any ingredients other than carbonate of lead and pure linseed oil; also any mixed paint branded "Pure" or "Strictly Pure" which contains any ingredients other than pure linseed oil, pure carbonate of lead, oxide of zinc, turpentine, Japan dryer, and pure colors, and declares the violation of this act a misdemeanor punishable by a fine of \$25 nor more than \$100 and costs, or by imprisonment in the county jail not exceeding 60 days. Provided if the same be properly labeled showing the quantity and amount of each and every ingredient used in said white lead paint or mixed paint as above described and the name and residence of the manufacturer the person manufacturing same shall not be guilty of a violation of this act.

Sec. 2. Provides that the possession of any article described herein not labeled as provided is *prima facie* evidence of a violation of this act.

Sec. 3. Provides that one-half of the fines under the provisions hereof shall go to the person making complaint, and one-half to the state dairy and food commission.

Sec. 4. Provides that the state dairy and food commissioner is charged with the enforcement of the provisions hereof. Security for costs shall not be required in any prosecution by him or his assistants.

Sec. 5. Provides that the commissioner has access and ingress to all places of business and the right to open any package or receptacle containing white lead paint sold or exposed for sale in violation of the provisions of this act.

NOTE.—Any person desiring an analysis made of any article described under the foregoing sections of the pure food and dairy laws may send in a sample of such article to the state dairy and food commissioner, accompanied by the following information and quantity according to the article sent to be analyzed:

Name and location of manufacturer; if jobber, the firm name and location.

Brand or name of article and representation by dealer as to quality and character of goods.

AS TO QUANTITIES TO BE SENT

Cheese, not less than six ounces.

Butter, not less than eight ounces.

Milk, not less than four ounces.

Cream, not less than four ounces.

Lard, not less than four ounces.

Baking powder, not less than one small can.

Vinegar, not less than four ounces.

Honey, not less than eight ounces.

Spices, not less than four ounces.

Food jellies, not less than one-half pound, or small original package.

Jams, not less than one-half pound, or small original package.

Preserves, not less than one-half pound, or small original package.

Beer, not less than one pint.

Wine, not less than one pint.

Liquor, not less than one pint.

Linseed oil, not less than eight ounces.

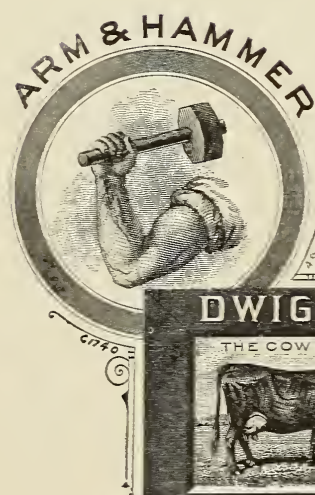
Maple syrup, not less than eight ounces.

Candy, not less than eight ounces.

White lead, not less than four ounces.

Mixed paints, not less than small can.





BEST ON EARTH
STRICTLY PURE



CONTAINS OVER 52% OF CARBONIC ACID GAS
AND OVER 99% PURE BI-CARBONATE.
THE VALUE OF SODA OR SALERATUS
DEPENDS ENTIRELY UPON THE AMOUNT
OF CARBONIC ACID GAS IT CONTAINS,
AS THAT CONSTITUTES ITS SOLE
RAISING PROPERTY.

CHURCH & DWIGHT CO.
NEW YORK.

PURE FOOD LAWS OF MISSISSIPPI.

The State of Mississippi has not provided for a Pure Food Commission. The laws enacted to provide against the adulteration of articles of food are enforced by local boards or supervisors, and by such agencies as the Mayor or Board of Aldermen of every town or village may appoint. Said boards may from time to time direct what kinds of food shall be inspected.

Such laws as this State has enacted upon the subject of food adulterations are abstracted as follows:

ADULTERATED FOOD.

ANNOTATED CODE, 1892. CHAPTER 50.

Sec. 2096. An article of food shall be deemed adulterated:

(a) If any substance be mixed with it so as to lower or injuriously affect its quality or strength;

(b) If any inferior or cheaper substance or substances be substituted in whole or in part for the article;

(c) If any valuable constituent of the article be, in whole or in part, abstracted or extracted;

(d) If it be an imitation of, or sold under the name of, another article;

(e) If it consist, in whole or in part, of a diseased or decomposed, or putrid or rotten animal or vegetable substance, whether manufactured or not; or,

(f) If it be the produce of a diseased animal;

(g) If it be colored or coated, or powdered or polished, whereby damage is concealed, or it be made to appear better than it really is, or of greater value; or,

(h) If it contain any added poisonous ingredient, or any ingredient injurious to health; but this section shall not apply to mixtures or compounds recognized as ordinary articles of food.

INSPECTORS OF FOOD.

Sec. 2098 (942). The Board of Supervisors of every county, and the Mayor and Board of Aldermen of every city, town and village, respectively, may appoint and commission a suitable person to be inspector of food, and said boards may direct, from time to time, what kind of food shall be inspected.

Sec. 2099. The said boards may, respectively, make and publish all needful regulations for

the government of the inspectors, and of dealers in food, and may enforce such regulations by proper penalties, and they may prescribe and regulate the compensation of the inspector and his fees and perquisites, and define his duties.

Sec. 2100 (943). Provides that every inspector of food, before he enters on his duties, shall take and subscribe an oath for the faithful performance of his duties, and shall give bond in the sum of \$500, with sufficient sureties, payable to the county, city, town or village.

101. Every imposter of food shall be liable, civilly and criminally, as other officers are, for fraud and any malfeasance or misfeasance in office, and shall be liable on his bond for the safe keeping and accounting for the standard of weights and measures.

2102. The inspector of food of any county, city, town or village shall be the keeper of the standards of weights and measures, and shall seal all weights and measures brought to him conforming or conformed to the standards. (See 4480.)

2104 (948). Any person who shall oppose or obstruct any inspector of food in the discharge of his official duties, shall, for every such offense, forfeit and pay \$200, and shall, moreover, be liable to action for any injury or damage that may be sustained by any such opposition or obstruction.

FORFEITURE OF FOOD ARTICLES.

2105 (947). If any person shall knowingly sell, keep or offer for sale as sound and wholesome, any tainted, putrid, unsound, unwholesome, or unmerchantable provisions, as human food, or shall practice any fraud or deception whereby any such provisions are put off or sold, the whole of such provisions, if of value for any purpose, shall be forfeited to the county wherein the same may be offered or kept for sale. (See Secs. 1262, 1263, 1264.)

2106 (949). If any person shall sell, keep, or offer for sale, any barrel of flour, meal, pork, or beef, as a barrel thereof, containing less than the standard weight net, he shall forfeit to the county all of such underweight flour, meal, pork, or beef, which he may have in his possession.

2107. If any person shall keep or offer for sale any adulterated food or drug, the whole of the adulterated article shall be forfeited to the county.

Schotten's STANDARD ROASTED COFFEES

All Roasted Coffees packed under our name are natural dry roast, free from manipulation and "doping," which practice we claim impairs their drinking qualities.

Schotten's PURE GROUND SPICES.

Our Ground Spices are warranted as represented, PURE, without any mental reservation, and can be sold with impunity in all States where there exist the most stringent pure food laws.

Established 1847. WM. SCHOTTEN & CO., St. Louis

ESTABLISHED 1859



AMERICAN WINE COMPANY

ST. LOUIS, U. S. A.

MISSOURI PURE FOOD LAWS.

REVISED STATUTES, 1899, AND SESSION ACTS, 1901.

There is no Pure Food Commissioner in the State of Missouri and the laws of the state relating to food adulteration are not enforced by any special agent of the state, except the laws regulating the sale of imitation butter and filled cheese, which are enforced by the Board of Agriculture.

OFFICERS AND MEMBERS MISSOURI STATE BOARD OF AGRICULTURE.

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District No. 16—A. T. Nelson, Lebanon.

A digest of the laws upon the subject of Pure Food in force in the state of Missouri at the present time is as follows:

IMITATION BUTTER.

Sec. 4744. Every article, substitute or compound other than that produced from pure milk or cream from the same, made in semblance of butter, to be used as a substitute therefor, is declared to be imitation butter.

Sec. 4745. No person shall combine any animal fat or vegetable oil or other substance with butter, or combine therewith or with animal fat or vegetable oil any other substance what-

ever any annatto or compound thereof, or other substance for the purpose of imparting thereto a yellow color so that such substance shall resemble any shade of genuine yellow butter. Nothing in this article shall prohibit the use of salt and harmless coloring matter for coloring substitutes for butter manufactured for export or sale outside of this state. No person by himself, his agents or employe, shall produce or manufacture any substance in imitation of natural butter, nor sell imitation butter produced in violation of this section, whether produced in this state or elsewhere. Substances designed to be used as substitutes for butter and not manufactured or colored as herein prohibited may be sold under regulations hereinafter provided.

Sec. 4746. Manufacturers of any substance as a substitute for butter shall mark or stencil upon the top and sides of each tub or package containing same at the place of manufacture, in the English language, the words "Substitute for Butter," in printed letters of plain Roman type, at least one inch in length by one-half inch in width.

Sec. 4747. Substitutes for butter shall not be consigned or received by common carriers unless shipped under their true names; provided, this article shall not apply to goods in transit between foreign states across the state of Missouri.

Sec. 4748. Prohibits the possession or control of any substance as a substitute for butter unless the tub or package containing same be marked as provided in section 4747; *Provided* this section shall not apply to persons having same for actual family consumption. Every person possessing or controlling such substances not marked as herein required shall be presumed to know the true character and name as fixed by this article of such products.

Sec. 4749. Prohibits the sale of a substitute for butter under the name of or under the pretense that the same is butter.

Sec. 4750. Every person who shall violate the provisions of Sections 4745, 4746, 4747, 4748 and 4749 hereof shall forfeit and pay to the state of Missouri for the use of the school fund the sum of \$50 and costs of suit, to be recovered by civil action in the name of the state of Missouri on relation of any person having knowledge of the facts, before any justice of the peace in the city or county where such violation occurs, or any other court of competent jurisdiction; and in addition to the civil liability herein provided such person shall be deemed guilty of a misdemeanor, and shall for

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Special attention given to High Grade Canned Goods, Preserves and Fine Edibles of every description.

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Manufacturers of "Hoffman House"
High Grade Cigars, and "Hoff-
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and Guarantee careful and prompt attention.

the first offense be punished by a fine of not less than \$10 nor more than \$100, or by imprisonment not exceeding 100 days; and for any subsequent offense by a fine of not less than \$250 nor more than \$500, or by imprisonment in the county jail not less than 30 days, nor more than six months, or both fine and imprisonment.

Sec. 4751. A certificate of analysis of any dairy product or imitation thereof when signed by a professor in chemistry of the State University or Experiment Station, and properly acknowledged, shall be received in courts of this state as *prima facie* evidence of the facts therein stated in all civil actions under Sec. 4750 of this Act.

Sec. 4752. Contracts made in violation of this article are non-actionable.

Sec. 4753. It is a misdemeanor to efface, cancel or remove any mark provided for by this article with intent to mislead.

Sec. 4754. The State Board of Agriculture shall enforce this act. All fines shall be paid into the State Treasury.

SKIMMED MILK CHEESE.

Sec. 4755. Prohibits the manufacture or sale of any article known or denominated cheese not made from pure cream or skimmed milk or cream of the milk unless such article shall be branded or labeled with black letters not less than one inch in length in a conspicuous place and of large size in the English language as follows: "Skimmed milk cheese," or with the words "Not full cream cheese", giving the true name of such article called cheese and clearly and indelibly labeled thereon.

"FULL CREAM" AND "SKIMMED MILK" CHEESE DEFINED.

Sec. 4756. Cheese manufactured or sold at wholesale or retail made from milk or cream of the same, which tests not less than 3 per cent of butter fat, shall be deemed to be "full cream cheese"; and cheese manufactured or sold from milk or cream of the same testing less than 3 per cent of butter fat shall be deemed to be "skimmed milk cheese" or cheese not made from pure unskimmed, unadulterated milk or cream of the same.

Sec. 4757. For a violation of Sections 4755 and 4756, it is a misdemeanor punishable by a fine of not less than \$10 nor exceeding \$500, or confinement in the county jail not exceeding one year, or both.

Sec. 4758. Prevents the consignment or shipping by common carriers of any substances designed to be used as cheese, not made from pure unskimmed milk or cream of the same, testing at least 3 per cent butter fat, unless such cheese is marked or labeled "Skimmed milk cheese," or with the words "Not full cream

cheese" labeled thereon; provided, this article shall not apply to any goods in transit between foreign states across the state of Missouri. Any person violating this section shall be deemed guilty of a misdemeanor and shall be fined not less than \$10 nor more than \$500.

Sec. 4759. Contracts made in violation of this act are non-actionable.

Sec. 4760. It is a misdemeanor to efface or remove or cancel any marks or labels on any such article or cheese with intent to mislead punishable by a fine not less than \$50 nor more than \$500.

Sec. 4761. The State Board of Agriculture is charged with the enforcement hereof. Actions under this article may be brought by information or indictment in any court of competent jurisdiction.

BAKING POWDER.

Sec. 2286. It is unlawful for any person to manufacture or sell any article or compound for the purpose of being used in the preparation of food in which there is any arsenic, calomel, bismuth, ammonia or alum.

Sec. 2287. It is a misdemeanor to violate the foregoing section, punishable by a fine of not less than \$100 to be paid into and become a part of the road fund in the county in which such fine is collected.

UNWHOLESOME FOOD.

Sec. 2266. Every person who shall knowingly sell the flesh of any animal dying otherwise than by slaughter, or slaughtered while diseased, or shall sell the flesh of one animal knowing it to be of another species, or shall sell unwholesome bread or drink without making the same fully known to the purchaser; and any butcher who shall sell the meat of any calf killed before it had attained the age of six weeks shall be deemed guilty of a misdemeanor and punished by a fine not exceeding \$1,000, or by imprisonment in the county jail not exceeding one year.

Sec. 2269. Every person who shall adulterate anything intended for food or drink or any drug or medicine is guilty of a misdemeanor.

OLEOMARGARINE.

Sec. 2276. Prohibits the manufacture out of any oleaginous substance or compound of the same resembling butter, manufactured from cattle fat or hog fat or substance known as oleomargarine, oleo, oleomargarine oil, buterine, lardine, suine and neutral, all lard extracts and tallow extracts, and all mixtures and compounds of tallow, beef fat, suet lard, lard oil, vegetable oil, annatto, and other coloring matter, intestinal fat and offal fat other than that produced from unadulterated milk or cream from the same, of any article designed to take the place of butter or cheese produced from

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pure unadulterated milk or cream from the same, or any article made in imitation of butter, unless the manufacturer shall pack said imitation butter in firkins or other packages with the true name clearly and indelibly branded or labeled thereon; and whoever shall sell as an article of food such an imitation unless said imitation is properly packed as aforesaid and marked as aforesaid shall be guilty of a misdemeanor and be confined in the county jail not exceeding one year, or fined not exceeding \$1,000, or both.

Sec. 2277. Any hotel or boarding-house keeper in this state who shall set before his guests any compound resembling butter manufactured from cattle fat, or hog fat, or such other article known to the trade as oleomargarine, and shall not clearly and legibly mark the vessel in which the same is served with the words "oleomargarine," or "impure butter," shall be guilty of a misdemeanor and fined not less than \$100 nor more than \$500.

CANDIES.

Sec. 2279. Prohibits the manufacture or sale of any candy by the admixture of terra alba, barytes, talc, or any other mineral substance, or by poisonous colors or flavors, or other ingredients deleterious or detrimental to health.

Sec. 2280. Whoever violates the provisions of section 2279 shall be fined not less than \$50. The candy so adulterated shall be forfeited and destroyed.

Sec. 2281. Prosecuting attorneys shall appear for the people and prosecute complaints under section 2279 in all the courts of their respective counties.

VINEGAR.

Sec. 2282. Any person who manufactures or sells as cider vinegar any vinegar not the legitimate product of pure juice known as apple cider, or vinegar not made exclusively of said apple cider, or vinegar into which foreign substances, drugs, or acids have been introduced, as may appear in the proper tests, shall be deemed guilty of a misdemeanor and be punished for every offense by a fine of not less than \$50 nor more than \$100 and costs, or by imprisonment in the county jail not to exceed 90 days.

Sec. 2283. Vinegar sold, offered for sale or delivered shall be without artificial coloring or flavoring, and no person shall sell, exchange or deliver or have in his possession with intent to sell any vinegar labeled or branded as cider vinegar, or as apple vinegar which is not the legitimate product of pure apple juice, or not made exclusively from apple cider.

Sec. 2284. Every person making or manufacturing apple cider or fruit vinegar for sale

shall brand on both heads of each cask, barrel or keg containing same the name and location of the manufacturer or firm, and also the name of the fruit out of which the vinegar is made; and where there are inspectors of fruit products vinegar shall be one of the articles under supervision of such inspectors, who shall have power to inspect and seize any that may be found fraudulent or in violation of sections 2282, 2283, 2284, or 2285.

Sec. 2285. No vinegar shall be branded "fruit vinegar" unless the same shall be made wholly from apples, grapes, or other fruits; and any person who shall knowingly brand, label or sell as "fruit vinegar" any vinegar not made wholly from apples, grapes, or other fruits, in violation of the foregoing section shall be guilty of a misdemeanor and punished as provided in section 2282.

LIQUORS.

Sec. 2278. Any person who shall adulterate by the use of strychnine or any other poisonous liquids or ingredients, any spirituous, fermented, malt or vinous liquors, or sell any such liquors by retail or wholesale adulterated as aforesaid, with knowledge thereof, shall be deemed guilty of a felony, and upon conviction be punished by imprisonment in the penitentiary not exceeding five years.

USE OF IMPURE BARRELS.

Sec. 2267. It is unlawful to use any barrel, lard tierce, preserve or butter tub once used for the purpose of storing or packing any article of human food therein, unless the same has been thoroughly cleaned or scoured before its subsequent use.

DRUGGISTS.

Sec. 3042. Every registered pharmacist, apothecary, or owner of any drug store shall be held responsible for the quality of all drugs, chemicals and medicines he may sell or dispense, with the exception of those sold in original packages of the manufacturer, and also those known as "patent medicines"; and should he adulterate such drugs, chemicals or medical preparations, he shall be deemed guilty of a misdemeanor and be liable to a penalty not exceeding \$100, and in addition thereto have his name stricken from the register.

Sec. 6127. All cities are empowered to provide by ordinance for the inspection of all living animals intended as human food within such cities.

Sec. 6165. All cities may provide by ordinance for licensing and regulating the conduct of milk dairies, and the sale of milk and the inspection thereof.

FLOUR.

Sec. 10578. A barrel of flour shall consist of 196 pounds, net. A sack of flour shall con-

sist of 98 pounds, net; a half sack of flour of 48 pounds, net; and a quarter sack of flour of 24 pounds, net. Prohibits manufacturers or dealers selling flour in barrels, sacks, or half sacks, or quarter sacks, containing a less amount than specified above. Before any barrel, sack, half sack or quarter sack of flour shall be sold the number of pounds contained

therein shall be labeled or stamped thereon. Any person who shall sell any package which shall be stamped or labeled with a greater number of pounds net than such package actually contains, or contrary to the provisions of this section, shall be deemed guilty of a misdemeanor and shall be fined in a sum not less than \$10 nor more than \$100.

PURE FOOD AND DAIRY LAWS OF MONTANA.

The State of Montana has no Food or Dairy Commission, nor is any department of state directly charged with the enforcement of the laws on the subject of adulteration of articles of food and drink, but the legislature of 1901 has provided for the appointment of Meat and Milk Inspectors by cities having 5,000 inhabitants or more, and passed laws which it is their duty to enforce in regard to the production and sale of meat and milk, as hereinafter set out. These inspectors have supervisory powers over these articles of food for their respective municipalities, and are charged with the enforcement of the law regarding them therein.

A digest of the Dairy and Food Laws of this state is as follows:

ADULTERATION OF FOOD, ETC.

Sec. 682. Every person who adulterates or dilutes any article of food, drink, drug, medicine, spirituous or malt liquor, or wine, or any article used in compounding them, with intent to offer or cause or permit it to be offered for sale as undiluted or unadulterated, is guilty of a misdemeanor.

Sec. 684. Every person who manufactures, offers or exposes for sale, or possesses with intent to sell, any article or substance in semblance of butter or cheese, not the legitimate product of the dairy, and not made exclusively of milk or cream, or into which the oil or fat of animals not produced from milk enters as a component part or has been introduced to take the place of cream, must distinctly stamp, brand or mark in some conspicuous place upon every tub, firkin or package of such article in plain letters not less than one-quarter inch square each the words "Oleomargarine" or "Imitation cheese," as the case may be, and in retail sale of such articles in parcels or otherwise the dealer must deliver to the purchaser a printed label bearing the plainly printed words "Oleomargarine" or "Imitation cheese," as the case may be.

Any person selling any article described in section 2, and every hotel, restaurant or board-

ing-house keeper keeping or using such article in his business must continually and conspicuously keep posted up in not less than three exposed positions about his place of business a notice in the following words: "Oleomargarine," or "Imitation cheese" "sold (or used) here." Which notice must be printed in letters not less than two inches square each, and he must upon furnishing the said article to his customers or guests, if inquiry be made, inform them that the article furnished is not butter or cheese the genuine product of the dairy, but is oleomargarine or imitation cheese.

Sec. 686. Every person or corporation violating any of the provisions of the last two preceding sections is punishable by imprisonment in the county jail not exceeding one month, or by fine not exceeding \$100.

IMPURE MILK.

Sec. 1095. Every person who keeps a cow or animal for the production of milk in a crowded or unhealthy place or diseased condition, or feeds such cows or animal upon any food that produces impure or unwholesome milk, is punishable by imprisonment in the state prison not exceeding three months or by fine not exceeding \$200, or both.

LICENSES TO SELL OLEOMARGARINE. POLITICAL CODE.

Sec. 4064. Provides, among other things, paragraph 13, that every person, company or corporation selling oleomargarine, butterine or imitation cheese, shall pay a license of ten cents per pound for all these articles sold.

Sec. 652. Provides that proprietors of pharmacies shall be held responsible for the quality of drugs and medicines and chemicals sold at their respective places of business, except patent or proprietary preparations, and articles sold in original packages of the manufacturer. Any person who shall willfully adulterate or alter or permit to be adulterated, any drug or medicine, or sell or offer for sale such adulterated article, or cause to be substituted one material for another, with intent to defraud or

deceive the purchaser, shall be guilty of a misdemeanor and liable to prosecution therefor.

ADULTERATED CANDY.

PENAL CODE.

PAGE 151, SESSION LAWS OF 1899.

Sec. 1. Provides that section 702, Title X, of the Penal Code of Montana is amended to read in substance as follows:

Sec. 702. Every person who shall by himself, his agent or servant, or as agent of another person, manufacture for sale or knowingly sell or offer to sell any candy adulterated by the admixture of terra alba, barytes, talc or other mineral substance, by poisonous colors or flavors, or other ingredients deleterious to health, is guilty of a misdemeanor.

Sec. 2. This act shall be in force and effect after its passage and approval by the governor.

Sec. 3. Repeals all acts in conflict herewith. Approved Feb. 22, 1899.

BILL NO. 45.

LAWS OF 1901, PAGE 66.

MEAT AND MILK INSPECTOR.

Sec. 1. Creates the office of Meat and Milk Inspector for cities having a population of 5,000 inhabitants or over. Such cities shall immediately upon the taking effect of this act appoint a Meat and Milk Inspector, whose compensation shall be borne by said cities, and shall be such as will secure the services of some qualified person. No person shall be appointed to the office of Meat and Milk Inspector unless he is a graduate in good standing of some regular and reputable veterinary medical college recognized by the American Veterinary Medical Association, and admitted to practice within the State of Montana, and he shall be required before appointment to exhibit his diploma.

Sec. 2. It is the duty of councils of cities having a population required by this act to designate some place in or adjacent to such city where the cattle, sheep, swine or other domestic animals intended for slaughter, sale and consumption for food in said cities, shall be brought for inspection on hoof, or where the meat of such animals may be brought for inspection, which inspection shall be made without unnecessary delay, and no fee shall be demanded of the owner or person presenting any such animal or meat intended for food for inspection, but same shall be inspected free of any expense whatever to the owner thereof. It is made the duty of such inspector to keep a correct record in a book provided by the municipality for that purpose, in which he shall record the name, place or residence and postoffice address of the owner of such animals intended for food, or the carcasses or parts of carcasses pre-

sented for inspection, together with the brands and marks and a full description thereof.

SUBDIVISION 2.

The rules, regulations and methods adopted by the United States Government shall be taken as a standard of meat inspection, and shall be followed as closely as may be consistent by the said Meat and Milk Inspector.

SUBDIVISION 1.

Sec. 3. Provides that all animals intended to be slaughtered for meat for human consumption shall be examined before and after slaughtering.

SUBDIVISION 2.

Carcasses of animals inspected on hoof shall be properly tagged and marked with the official tag or mark of such municipality before being offered for sale, and the carcass of any such animal not inspected on hoof shall be inspected before being offered for sale, and if same is found wholesome and fit for food it shall be marked as above mentioned by the inspector with a tag similar in form and character to that used by the Bureau of Animal Industry, Department of Agriculture, which tag shall be adopted and designated by the city council of such municipality as the city stamp or certificate for the designation of wholesome and healthy meat. Provided, nothing herein shall be construed to prevent any person from slaughtering any healthy animal, the meat of which is intended for use by himself or his family, but not to be offered for sale or public consumption.

Provided, further, that nothing herein shall be construed so as to permit any person to slaughter or offer for sale any meat intended for domestic consumption before being inspected, except when such slaughtering may be conducted in a locality inaccessible to said Meat and Milk Inspector.

Sec. 4. It is the inspector's duty to make inspection of the meats, carcasses and animals mentioned in this act which may be presented for inspection at the place designated by the municipal council, and keep a record in the manner as aforesaid, which inspection shall be made by him as soon as possible and without unnecessary delay, and he shall attach to all such meats so inspected and found wholesome and fit for consumption the tag above mentioned, indicating that fact.

Sec. 5. The Meat and Milk Inspector appointed as aforesaid has the right to condemn any meat, carcass or parts thereof of all cattle, sheep, swine or other domestic animals intended for food, which he shall find after examination to be unfit for food, and it shall be his duty to destroy all condemned meat by slashing said meat and muscular tissue in numerous places

with a knife, into which he shall then pour sufficient kerosene to taint such meat and make it impossible to be used for human consumption.

Sec. 6. It shall be unlawful to sell or offer for sale or give away for the purpose of food any animal suffering from hog cholera, swine plague, charbon, anthrax, rabies, malignant epizootic, catarrh, pyaemia and septocaemia, mange, scab in advanced stages, advanced stages of actinomycosis, lumpy jaw, inflammation of the lungs, the intestines or the peritoneum; Texas fever, extensive or generalized tuberculosis, animals in advanced stages of pregnancy or which have recently given birth to young, any disease or injury causing elevation of temperature of affecting the system of the animal to a degree which would make the flesh unfit for human consumption; any organ or part of the carcass which is badly bruised or affected with tuberculosis, actinomycosis, cancer, abscess, suppurating sore or tape worm cysts, animals too young or immature to produce wholesome meat; distemper, glanders, farcy or any other malignant disorder; acute inflammation, lameness and extensive fistula.

Sec. 7. Any person, company or corporation which shall sell or offer for sale, buy or offer to buy, take or give away within the limits of said cities any carcass or portions thereof of any cattle, sheep or swine or other domestic animals which has not been inspected and tagged as herein required, except as herein stated, or shall violate any of the provisions of this act, shall be guilty of a misdemeanor and upon conviction thereof punished by a fine of not less than \$50 nor more than \$500 for each separate offense.

Sec. 8. Nothing in this act nor any part thereof shall be construed to interfere with the offering for sale of any meats bearing a stamp or tag indicating that the same has been inspected by the United States Bureau of Animal Industry, or of any state, county or municipal meat inspector where regulations equal to those herein prescribed are observed. Provided, that if there is any reason to believe that such meat is in a putrid, decaying or unwholesome condition it shall be the inspector's duty to inspect such meat when complaint is made to him relative thereto, and should he find such meat in a putrid, decaying or unwholesome condition it shall be his duty to destroy such meat as herein provided.

INSPECTION OF MILK AND DAIRIES.

Sec. 9. Provides it is the duty of said Meat and Milk Inspector to inspect each dairy supplying milk to such municipality not less than once in every month in the calendar year. It shall be his duty to issue to each person and

corporation supplying milk to citizens of such municipality a certificate of health every 90 days, which shall include a certificate of the sanitary condition of said dairy and specify each and every cow within said dairy from which milk is supplied to the public.

Sec. 10. Provides it a misdemeanor for any dairyman, person or corporation to feed unwholesome food and provides a fine thereof of not less than \$50 nor more than \$500. Any dairyman, person or corporation supplying milk to the public must have for each cow a certificate of health, including the tuberculin test made by the said inspector, stating that said cow is free from tuberculosis or consumption or any infectious or other diseases.

SUBDIVISION 2.

Any dairyman having in his own family or among his employees or about his premises anybody suffering from diphtheria, scarlet fever, typhoid fever, or any infectious or contagious disease that may or might contaminate said milk, is prohibited from selling said milk to the public for such period as such disease exists there as aforesaid, and until said inspector satisfies himself that such premises have been thoroughly disinfected and issue a certificate so stating.

Sec. 11. The milk supplied by said dairies shall not contain less than 3 per cent of butter fats, or less than 12 per cent of total milk solids, and shall come up to the normal specific gravity test for milk not less than 1025.

Sec. 12. It shall be the duty of said inspector to prohibit any person from selling milk unless proper cleanliness in buckets, pails, cans and other utensils used about said milk is observed.

Sec. 14. Provides that it is the duty of said inspector to stop at any time he sees fit any wagon, cart or other vehicle, or person, hauling, carrying or conveying milk intended for public consumption, and then and there take cognizance of any irregularity in such milk or the method of hauling or distributing same. He shall ascertain if it be up to the regular standard, and if he find it deficient in any nutritive qualities, or containing any drug or preservative or coloring matter or other extraneous matter he shall then and there condemn such milk, and such dairyman or person whose product shall be condemned shall be prohibited from selling any milk until he receives a written permit from said inspector so to do. Provided, the inspector shall, if requested by such dairyman, take from the can of milk from which he shall have taken any quantity of milk for the purpose of testing the same, at least one pint of such milk, place the same in a bottle, adding sufficient formaldehyde to such milk to prevent fer-

mentation, and seal and mark same in such a manner as to identify same, and deliver same to such dairyman, who may have said milk analyzed and tested by any chemist competent so to do that he may ascertain the correctness of the inspector's analysis of such milk. Provided, that at the time of taking such specimen for said dairyman and for said inspector a third specimen shall be taken by said inspector, consisting of not less than one pint of said milk, which shall be taken from the same can from which the other specimens were taken, and sealed in the presence of said dairyman or person, which specimen shall be forwarded to the chemist of the Agricultural Experiment Station at Bozeman for analysis, and said chemist shall in all cases when so requested by the dairyman or other person act as umpire in said chemical analysis.

Sec. 15. Any resident of this state who knows that any dairyman or other person is supplying milk from any diseased cattle, or cattle fed upon stable bedding, refuse or improper food, shall at once notify said inspector, who shall at once inspect the premises indicated, and if he finds the complaint true he shall prohibit the further selling of the product of said dairy, and he shall at once file information against said dairyman or person in the nearest court.

Sec. 16. This act shall apply to all products of the dairy in any municipality to which this act applies, where sold in the state, county or

any municipality to which the district covered by said inspector belongs.

Sec. 17. It is a misdemeanor to adulterate milk in any way likely to produce an unwholesome change or disease to the consumer, and such milk shall be prohibited from exposure for sale. Any violation of this act shall be a misdemeanor, punishable as herein mentioned within the meaning of this act. The use of any unnatural method for preserving or changing milk, excepting pasteurizing or sterilization shall be a misdemeanor, and punished as provided in this act.

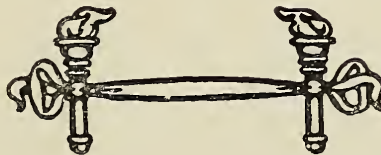
Sec. 18. Any city in this state having a population of less than 5,000 inhabitants shall have the option of adopting the sanitary provisions of this act. Provided, that it shall be unlawful to offer for sale, take or give away any meat from a diseased animal coming under the provisions of this act, or any milk from a diseased cow, or adulterated or chemically preserved milk, or milk containing any extraneous matter within the provisions of this act, within the state of Montana.

Sec. 19. Any violation of the provisions of this act shall be a misdemeanor, punishable by a fine of not less than \$50 nor more than \$500 for each separate offense.

Sec. 20. This act shall take effect from and after the first day of May, 1901.

Sec. 21. Repeals all acts and parts of acts in conflict herewith.

Approved March 14, 1901.



PURE FOOD LAWS OF NEBRASKA.

In the session of the General Assembly of the state of Nebraska held in 1899, an act was passed creating a food commission, and providing penalties for the violation of the pure food laws. The commission thus created, its powers and duties, and the laws which said commission is charged with enforcing, are in substance as follows:

NEBRASKA FOOD COMMISSION.

Ezra P. Savage, Governor, Food Commissioner.

S. C. Bassett, Deputy Commissioner.

J. M. Nelson, Chemist.

Sec. 1, chapter 35, Statutes of Nebraska. There is hereby created a food commission, for which the usual facilities for transacting business shall be furnished the same as for other executive departments.

Sec. 2. The governor is made the food commissioner of said commission. He may appoint a deputy food commissioner at a salary of \$1,500 per annum and expenses. Said deputy commissioner shall file monthly with the auditor of public accounts an itemized account of expenses. Said deputy commissioner shall hold his office at the pleasure of the governor, and exercise equal power in the administration of food laws, subject to the approval of the governor. The deputy food commissioner shall be a person of standing and ability and knowledge concerning dairy and other food products.

Sec. 3. He shall give a bond in the sum of \$3,000 to be approved by the governor. He may employ a clerk at a salary not exceeding \$75 per month, and he shall make an annual report to the governor on or before the first day of November of each year concerning the condition of food and dairy interests of the state and his recommendations thereon.

Sec. 4. The food commissioner is charged with the enforcement of this act, and all laws concerning butter, cheese, "imitation butter," "imitation cheese," milk and cream, vinegar, cider, and all laws concerning dairy products, cider or vinegar, or imitations or adulterations thereof. The food commissioner shall have control over the subject of testing milk and cream and may make such regulations concerning such subject as he may deem reasonable and just. He shall have the power to establish a minimum standard of butter fat in milk and cream. Said commissioner and his officers shall have full access and ingress and egress to all creameries, cheese factories, skimming stations, cider manufactories, vinegar manufactories, farms, buildings, carriages, cars, vessels, packages and cans used in the manufacture or sale of any such

dairy product, cider or vinegar, or imitation thereof. They shall also have power and authority to open any package, can or vessel containing such dairy product, or article before specified, and may inspect same and take samples therefrom for analysis. A chemist analyzing same shall be allowed a reasonable fee not to exceed \$5 for each analysis, and his finding shall be *prima facie* evidence in all prosecutions under this act of the facts certified by him.

Sec. 5. Every person, excepting retailers, manufacturing or dealing in imitation butter or imitation cheese shall, on or before the 10th day of each month, on a blank provided by said food commissioner, make a report in writing showing the amount of imitation butter or imitation cheese sold by him during the month preceding, size of package used, to whom and when sold and the address of the purchaser, amount of every article on hand at the end of the month's business, and other items, in a manner required by said food commissioner, verifying same under oath; provided that the retailer shall not be required to state to whom sold nor the location of the purchaser.

Sec. 6. Every person who in any manner produces "imitation butter" or "imitation cheese," as herein defined, shall be considered a manufacturer thereof.

Every person who sells "imitation butter," or "imitation cheese" as defined herein shall be deemed a wholesale dealer therein.

Every person who sells "imitation butter" or "imitation cheese" in packages containing less than ten pounds each shall be deemed a retailer of same.

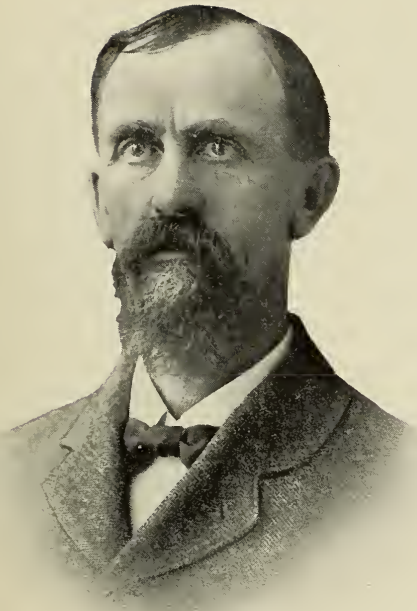
Every person buying, working and handling the product known as "store" or "dairy" butter and making out of same what is known as "ladle" butter or "factory" butter shall be deemed a manufacturer of "ladle" butter.

Every person buying or selling butter or cheese, or both, in original packages not of his own production, whether on commission or otherwise, shall be deemed a wholesale dealer therein.

Every person who manufactures or sells annually 50 or more barrels of cider as defined in chapter 3 of the session laws of 1897 shall be deemed a wholesale dealer therein.

Every person who sells or manufactures ten or more barrels of cider vinegar as defined in chapter 4 of the session laws of 1897 shall be deemed a wholesale dealer therein.

Every person who manufactures or sells annually fifty or more barrels of so-called "grain" vinegar, "wine" vinegar, or "fruit" vinegar, as



S. C. BASSETT,
Deputy Food Commissioner, Nebraska,
in charge of Food Department.



J. M. NELSON,
Chemist Nebraska Food Commission

NEBRASKA FOOD COMMISSION.

defined in chapter 4 of the session laws of 1897, shall be deemed a wholesale dealer therein.

A creamery is defined as "a factory where cream from milk with or without the addition of salt and coloring matter is churned into butter."

A cheese factory is defined to be "a factory where milk with or without the addition of salt, rennet and coloring matter is manufactured into cheese."

A "skimming station" is defined as "a place where milk from not less than five patrons is skimmed by machinery and the cream resulting therefrom is taken to a creamery to be churned."

Sec. 7. It is unlawful for any manufacturer, wholesale dealer or retail dealer in "imitation butter" or "imitation cheese," or both, to enter upon or engage in the business of producing, manufacturing, handling or selling "imitation butter" or "imitation cheese" without first procuring from the food commissioner an annual permit, describing the occupation and place of business of the person receiving the same, and conditioned for a faithful performance of the laws. *Provided*, that any manufacturer of "imitation butter" or "imitation cheese" who sells only "imitation butter" or "imitation cheese," or both, of his own production, at the place of manufacture into original packages, shall not be required to take out a permit as a wholesaler. It is unlawful for any person to manufacture "ladle" butter or to carry on the business as a wholesaler in butter or cheese, as a wholesale dealer in cider or in adulterations thereof, or in cider vinegar, or in so-called "grain" vinegar, "wine" vinegar, or "fruit" vinegar, or to operate any creamery, cheese factory or skimming station, or do any business in producing, handling or selling the products so made, without first securing from the food commissioner an annual permit describing the occupation and place of business as in the foregoing paragraph. All applications for permits shall be addressed to the food commissioner, verified by the applicant that he has not violated any of the provisions of this act. The food commissioner shall have the right at any and all times to inspect the premises, methods and processes of any creamery, cheese factory, skimming station, manufacturer or ladle butter, dealer in butter and cheese, manufacturer of cider or adulterated cider, or of cider vinegar, "grain" vinegar, "wine" vinegar, or "fruit" vinegar, wholesale dealer or dealer in adulterated cider or in cider vinegar, or in "grain" vinegar, "wine" vinegar, or "fruit" vinegar, manufacturer of imitation butter or imitation cheese, or wholesale or retail dealer within the provisions of this act or other acts relating to dairy productions, cider or vinegar, or imitations thereof.

Sec. 8. For all the services performed in connection therewith, including the inspection,

as provided herein, there shall be charged and collected annually as follows:

From each manufacturer of imitation butter or imitation cheese the sum of \$100; from each wholesale dealer therein \$50; from each retail dealer therein \$25; from each manufacturer or wholesale dealer in adulterated cider \$50; from each manufacturer or wholesale dealer in so-called "grain" vinegar, "wine" vinegar, or "fruit" vinegar \$50; from each manufacturer or wholesale dealer in cider \$15; from each manufacturer or wholesale dealer in cider vinegar \$15; from each creamery \$10; from each cheese factory \$10; from each skimming station \$1; from each manufacturer of "ladle" butter \$15; and from each wholesale dealer in butter or cheese \$10; payable in each case into the treasury of the state as provided by law in advance of the issuance of permits.

Sec. 9. If any person shall be convicted of a wilful violation of any of the provisions of this act, such conviction shall *ipso facto* work a revocation of said permit, and the same shall be void.

Sec. 10. County attorneys on the request of the food commissioner shall prosecute offenses arising under the provisions of this act.

Sec. 11. It is a misdemeanor to violate this act, punishable by a fine of not less than \$10 nor more than \$100. A failure to take out a permit as above described shall constitute in any of the above cases a separate and distinct offense for each day.

Sec. 12. The sum of \$5,000 is appropriated for carrying into effect the provisions of this act.

IMITATION BUTTER AND IMITATION CHEESE.

Sec. 1, chapter 78. Every article, substitute or compound other than that produced from pure milk or cream from the same, in resemblance of butter, and designed as a substitute for pure butter, is declared to be imitation butter; and every article, substance or compound made in resemblance of cheese, to be used as a substitute for cheese made from pure milk, or cream from the same, is declared to be imitation cheese. *Provided*, that the use of salt, rennet, or other harmless coloring matter for coloring the product of pure milk or cream shall not be construed so as to render such product an imitation.

Sec. 2. Prevents the coating, powdering or coloring with annatto or any other matter whatever of any substance as a substitute for butter and cheese for the purpose of resembling pure butter or cheese, the product of the dairy. No person shall combine animal fat or vegetable oil or other substance with butter or cheese; or combine with annatto or compound with the

same or any other substance containing the same, or any coloring matter, with imitation butter or imitation cheese as defined in section 1 for the purpose of imparting thereto a yellow color or any shade of yellow so that such imitation butter or imitation cheese shall resemble any shade of genuine butter or cheese; nor introduce coloring matter or any substance containing same into any of the articles of which the same is composed; *provided*, this act shall not prohibit the use of salt, rennet or harmless coloring matter for coloring the product of pure milk, or cream from the same.

Prevents the manufacture or sale of any imitation butter or cheese manufactured, compounded or produced in violation of this section, whether in this state or elsewhere.

Every tub, firkin or box containing imitation butter sold or offered for sale in violation of this section shall constitute and is hereby declared a separate and distinct offense on the part of the person selling or offering same for sale; and any person violating any of the provisions of this section shall be fined \$10 nor more than \$20 for each offense; *and provided further*, that this section shall not prohibit the manufacture and sale under the regulations hereinafter provided of substances designed to be used as a substitute for butter or cheese and not manufactured or colored as herein prohibited.

Sec. 3. Every person who lawfully manufactures any substance as a substitute for butter or cheese shall distinctly stencil upon the top and sides of such tub, firkin or other package thereof, in a plain, legible and durable manner, the words "imitation butter" or "imitation cheese," in plain Roman type, in the English language, in letters not less than one inch in length by one inch in width.

Sec. 4. No person shall ship, consign or forward by any common carrier, public or private, any substance as a substitute for butter or cheese, and no carrier shall knowingly receive same unless it be manufactured as provided in the foregoing section, or be consigned to the carrier and receipted for by its true name. *Provided*, this act shall not apply to any goods in transit between foreign states across the state of Nebraska.

Sec. 5. No person shall have in his possession or control any substance as a substitute for butter or cheese, unless the tub or package containing the same be marked as provided in section 3; *provided*, that this section shall not apply to persons using the same for actual consumption by themselves and family. Any person having in his possession or control substances herein prohibited, not marked as required, shall be presumed to have known of the true character and name of such product as fixed by this act.

Sec. 6. Prohibits the sale of any substance as a substitute for butter or cheese under the name or pretense that the same is butter or cheese; and also prohibits the sale as a substitute for butter or cheese of any substance, unless the purchaser is informed of such substitution, and unless there shall be delivered to the purchaser a statement clearly printed in the English language referring to the article sold in plain Roman type and stating that the same is a substitute for butter or cheese and the name and place of residence of the maker.

Sec. 7. No keeper or proprietor of any bakery, hotel, public institution, dining car, restaurant, saloon lunch counter, or place of public entertainment, or boarding house, shall keep or use as food any imitation butter or imitation cheese, as defined in section 1 herein, unless he shall display a card opposite each table in a conspicuous place in the dining room, eating room, lunch room, restaurant, hotel, etc., or place where such substance is so sold, which card shall be white and in design not less than 10 by 14 inches upon which shall be printed in plain black Roman letters not less in size than one inch in length by one-half inch in width the words "imitation butter used here," or "imitation cheese used here," as the case may be; and said card shall not contain any other words than the ones above described. Any person violating the provisions hereof shall be punished by a fine of not less than \$25 nor more than \$50, or by imprisonment in the county jail not more than 30 days.

Sec. 8. Whoever shall violate sections 3, 4, 5, 6, and 9 of this act shall for the first offense be punished by a fine of not less than \$25 nor more than \$50, or be imprisoned not exceeding 30 days; and for each subsequent offense by a fine of not less than \$50 nor more than \$100, or by imprisonment in the county jail not less than 30 days nor more than six months, or both.

Sec. 9. No action can be maintained on account of any sale or other contract in violation of this act, or by or through any person knowingly a party to such wrongful sale or contract.

Whoever shall mutilate, obscure, conceal, efface, cancel or remove any mark provided for by this act, or with intent to mislead, deceive or violate this act, shall be guilty of a misdemeanor.

Sec. 10. Whoever sells to any person who asks, sends or inquires for butter imitation butter or imitation cheese or any substance in imitation of pure butter, not made entirely from milk or cream, with or without coloring matter, shall be guilty of a fraud and punished by a fine of not less than \$25 nor more than \$50 for each offense.

CIDER.

Sec. 1, chapter 3, Session Laws of 1897. Pre-

vents the sale of any cider or any preparation thereof containing salicylic acid, formaline, preservative, antiferment, or any other drug, chemical or substance that does not belong to the apple in its natural state.

Sec. 2. Cider is defined as "pure apple juice, absolutely free from any foreign substance."

Sec. 3. Prevents the manufacture or sale of any product as cider which is not cider.

Sec. 4. Any person manufacturing or selling adulterated cider shall plainly mark on the head of each keg, barrel or package "adulterated cider," together with the approximate proportion of drug, chemical or other substance which it contains.

Sec. 5. County attorneys shall inquire into complaints that adulterated cider is being sold in any county; and any such attorney or his deputy or appointee shall have access to all places where cider is made or kept for sale, and shall have power to open any barrel or package containing same, and inspect same, and take samples for analysis, and if the investigation sustains the charge he shall forthwith file information and prosecute as in criminal cases.

Sec. 6. Whoever violates this act shall be fined \$50 nor more than \$100, or imprisoned not less than 30 days nor more than 100 days, or both, for each offense, and pay costs incurred in inspection and analysis of such cider.

VINEGAR.

Sec. 1, chapter 4, Session Laws of 1897. Prohibits the manufacture of any vinegar as apple, orchard or cider vinegar which is not the legitimate product of pure apple juice; or cider into which any foreign substance, drug or acids have been introduced, which upon proper test shall contain less than two per cent by weight of cider vinegar solids, upon full evaporation at the temperature of boiling water.

Sec. 2. Requires that each cask, barrel or package containing cider vinegar be marked with the name and place of business of the manufacturer, and the words "cider vinegar," and no person shall falsely brand same.

Sec. 3. Every person manufacturing or selling any of the so-called "grain" vinegar, "wine" vinegar, or "fruit" vinegar, shall market same without artificial coloring, with a brand or label on each barrel, cask or package indicating the name and place of business of the manufacturer, and with the name of the grain or fruit from which the contents were made.

Sec. 4. All vinegar shall be made wholly from fruit or grain from which it purports to be made, and shall contain no artificial coloring, and shall contain not less than four per cent by weight of absolute acetic acid.

Sec. 5. Prohibits the manufacture or sale

of any vinegar containing any preparation or lead, copper, sulphuric or other mineral acids or other ingredients injurious to health.

Sec. 6. The duty of the county attorney is the same in this section as defined in section 5 of the laws relating to cider.

Sec. 7. The penalty for violating this section is the same as for the violation of section 6 of chapter 3 relating to cider.

NEBRASKA STANDARDS.

Minimum Standard of Butter Fat in Milk and Cream.

(Established by proclamation.)

I, Ezra P. Savage, governor of the state of Nebraska, by virtue of the authority vested in me by law as said (food) commissioner, ex-officio, do hereby fix and establish as the minimum standard 3 per cent butter fat for milk and 15 per cent butter fat for cream. And I do hereby require that all milk and cream bought and sold or offered for sale within the state of Nebraska for consumption in their respective forms shall be at least of the foregoing standard and the sale or offering for sale of either at a lower standard is hereby declared to be unlawful.

Skimmed or Adulterated Milk.

Whoever shall knowingly sell to any person or persons, or sell, deliver, or bring to be manufactured to any cheese or butter manufactory in this state, any milk diluted with water, or in any way adulterated, or milk from which any cream has been taken, or milk commonly known as "skimmed milk," or shall keep back any part of the milk known as "strippings," with intent to defraud, or shall knowingly sell the product of a diseased animal or animals, or shall knowingly use any poisonous or deleterious material in the manufacture of cheese or butter, shall be fined in any sum not less than twenty-five dollars, nor more than one hundred dollars, and be liable in double the amount of damages, to the person or persons upon whom such fraud shall be committed.

Adulterated Food.

That no person shall, within this state, manufacture for sale, offer for sale, or sell any article of food which is adulterated, within the meaning of this act. (1897, chap. 99, sec. 1.)

The term "food" as used herein shall include all articles used for food or drink by man, whether simple, mixed or compound. (Id. sec. 2.)

An article of food shall be deemed to be adulterated within the meaning of this act in the following cases: First, if any substance or substances have been mixed with it, so as to lower or depreciate, or injuriously affect its quality, strength or purity. Second, if any inferior or cheaper substance or substances have been substituted wholly or in part for it. Third,

if any valuable or necessary constituent or ingredient has been wholly or in part abstracted from it. Fourth, if it is an imitation of, or sold under the name of another article. Fifth, if it consists wholly or in part of a diseased, decomposed, putrid, infected, tainted or rotten animal or vegetable substance or article, whether manufactured or not—or, in case of milk, if it is the produce of a diseased animal, or diluted with any inferior liquid or mixed with any inferior substance. Sixth, if it is coated, polished or powdered, whereby damage or inferiority is concealed, or if by any means it is made to appear better or of greater value than it really is. Seventh, if it contains any added substance or ingredient which is poisonous or injurious to health, or any deleterious substance not a necessary ingredient in its manufacture. Provided, that the provisions of this act shall not apply to mixtures or compounds recognized as ordinary articles of food, if the same be distinctly labeled as mixtures or compounds, and are not injurious to health, and contain no ingredient not necessary to the preparation of the genuine article of such mixtures or compounds, and from which no necessary ingredient in its preparation is eliminated. (Id. sec. 3.)

Every person manufacturing, offering or exposing for sale or delivering to a purchaser, any article of food included in the provisions of this act, shall furnish to any person interested, or demanding the same, who shall apply to him for that purpose, and shall tender to him the value of the same, a sample sufficient for the analysis of any such article of food which is in his possession. (Id. sec. 4.)

Whoever refuses to comply, upon demand, with the requirements of section four, and who ever violates any of the provisions of this act, shall be guilty of a misdemeanor, and upon conviction shall be fined in any sum not exceeding one hundred nor less than twenty-five dollars, or imprisoned in the county jail not exceeding three months. And any person found guilty of manufacturing, offering for sale or selling an adulterated article of food under the provisions of this act, shall be adjudged to pay, in addition to the penalties hereinbefore provided for, all necessary costs and expenses incurred in inspecting and analyzing such adulterated articles of which said person may have been found guilty of manufacturing, selling or offering for sale, which shall be adjudged as a part of the penalty by the court in the same action wherein he is found guilty. (Id. sec. 5.)

PURE FOOD LAWS OF NEVADA.

The State of Nevada has no pure food nor dairy commissioner nor does it appear that any department is specifically charged with the enforcement of such laws as are on the statute books against the adulteration of food and drink, but the same are left to be enforced in like manner as other misdemeanors within the state.

A digest of these laws is as follows:

ADULTERATED AND UNWHOLESOME FOODS AND DRINKS.

Sec. 4677. If any person shall knowingly sell the flesh of any diseased animal, or unwholesome provisions, or any poisonous or adulterated drink or liquors, he shall be punishable by a fine of not more than \$500 or imprisonment in the county jail not more than six months.

ADULTERATED, IMPURE AND UNWHOLESOME MILK.

Sec. 4801. Provides that any person who shall knowingly sell, exchange or expose for sale any impure, adulterated or unwholesome milk, shall be deemed guilty of misdemeanor, and punished by a fine of not less than \$100 for each offense. In default of the payment thereof to be imprisoned in the county jail not less than thirty days.

Sec. 4208. Every person who shall adulterate milk with the intent to offer the same for sale or exchange, or keep cows for the production of milk for sale or exchange in a crowded or unhealthy condition, or feed the same on food that produces impure, diseased and unwholesome milk, or sell or exchange any milk as pure from which the cream, or any portion thereof, has been taken, except as hereinafter provided, shall be deemed guilty of misdemeanor, and punished by a fine of not less than \$100 for each offense. In default of the payment thereof to be imprisoned not less than thirty days.

Sec. 4803. The addition of water or any substance is hereby declared to be an adulteration. Any milk from animals fed on distillery, brewery, hotel or restaurant waste, usually called "swill," or upon any substance in a state of putrefaction, or impure matter from stables, is declared to be impure and unwholesome. The violation of this section is punishable by a fine of not less than \$100 for each offense or imprisonment for not less than thirty days.

Sec. 4804. Nothing in this act shall be construed to prevent the sale of skimmed milk, provided the person selling the same shall first make known the fact that it is skimmed milk

HEINZ PURE FOOD PRODUCTS

HEINZ 57 VARIETIES

of Pure Food Products are the output of the cleanest, largest and best equipped establishment of its kind in the world.

In preparing these goods purity has always been the first consideration, combined with the most rigid care and inspection of every department.

Forty-four medals awarded us at different expositions—Chicago, Brussels, Buffalo, and two at Paris—attest to their purity and excellence.

HEINZ

BAKED BEANS WITH TOMATO SAUCE



*Sound the trumpet
Beat the drum
Heinz good things
To town have come*

*A dainty dish
for luncheon!*



ONE OF **HEINZ** 57 VARIETIES

Nothing is so good as baked beans when they are good; and no beans are so good as HEINZ BAKED BEANS. They are very palatable and most nutritious, and contain only the finest selected beans, choicest pork and sauce. The beans are thoroughly baked (not boiled), and are packed in sterilized tins. The most scrupulous care and absolute cleanliness are observed in every process of preparation of this, as well as every one of the other "57 VARIETIES" of HEINZ PURE FOOD PRODUCTS.

Our booklet, "The Spice of Life," will give you an idea of the Heinz way of perfectly preparing food. Sent on request. H. J. HEINZ CO., Pittsburgh.

and sell it as such. Any person violating the provisions of this section shall be punished as provided in section 2 of this act.

Sec. 4805. Provides that one-half of the fines collected hereunder shall be paid to the person who makes complaint and prosecutes same. The other half shall be paid into the school fund.

Sec. 4806. Provides for the appointment of a milk inspector by the Board of County Commissioners.

Sec. 4807. It shall be the duty of said milk inspector to inspect milk offered for sale in his county, and, if found adulterated, unwholesome or impure, to cause the arrest of the vendor thereof and prosecute for such offense.

Sec. 4808. If said vendor shall be found guilty of a violation of this act, and the act to which this is supplemental, he shall be fined in any sum not less than \$25 nor more than \$200, or imprisoned in the county jail not less than fifty nor more than one hundred days; fines to be paid into the school fund.

Sec. 4809. The compensation of said milk inspector shall be regulated by the Board of County Commissioners.

OLEOMARGARINE.

Sec. 4810. Every person who shall manufacture for sale any article in semblance of butter that is not the legitimate product of the

dairy, not made exclusively of milk or cream, into which the oil or fat of animals, not produced from milk, enters as a component part, or into which melted butter, or any oil thereof, has been introduced to take the place of cream, unless the package containing such article shall be labeled or branded with the word "Oleomargarine," as provided in section 2 of this act, shall be deemed guilty of a misdemeanor, punishable by a fine not exceeding \$500 and imprisonment in the county jail not less than thirty days nor more than six months.

Sec. 4811. Every person who shall sell, offer or expose for sale, or possess with intent to sell, any of the said articles mentioned in section 1 of this act, shall distinctly brand, mark or label every package containing same, whether at wholesale or retail, with the word "Oleomargarine," and every person who shall sell or offer for sale such substance not so branded, marked or labeled, shall be guilty of a misdemeanor, punishable by a fine of not less than \$25 nor more than \$100 for each offense.

Sec. 4812. The branding or marking spoken of in this act, if on rolls or prints, shall be in letters not less than one-quarter of an inch square, and if on tubs or other packages the letters shall not be less than one-half inch square.

PURE FOOD LAWS OF NEW HAMPSHIRE.

The State of New Hampshire has no Dairy or Food Commissions. The State Board of Health is bound to take cognizance of the interests of the public health relating to the sale of drugs and foods and adulterations thereof. The local boards of health have supervisory powers over the sale and inspection of milk. The State Board of Health may spend annually an amount not exceeding \$800 for the purpose of carrying out the provisions of the chapter relating to the manufacture and sale of unwholesome foods and poisons.

The State Board of Agriculture is charged with enforcing the provisions of chapter 115 of the laws of 1895, relating to the sale of adulterated butter, oleomargarine and imitation cheese. The members of the State Board of Health are as follows:

Governor Chester B. Jordan, Lancaster.
 Attorney General E. G. Eastman, Exeter.
 G. P. Conn, M. D., President, Concord.
 Charles S. Collins, M. D., Nashua.
 Robert Fletcher, C. E., Hanover.
 Irving A. Watson, M. D., Secretary, Concord.

A digest of the laws against the adulteration of articles of food and drink is as follows:

ADULTERATED LIQUOR.

P. S. CH. 112, PAGE 350.

(1899, Ch. 71, Sec. 11): If any agent adulterate any spirituous or malt liquors, which he may keep for sale, knowingly purchase any impure liquors or buy any spirituous or malt liquors off any person than the person so appointed by the Governor, or of the commissioners in cases authorized by law, or charge a higher price than fixed by the selectmen or mayor, or sell any liquor on his own account, he shall forfeit fifty dollars, or be imprisoned ninety days, or both.

(Ch. 127, P. S., p. 399):

MEASURE OF MILK.

Sec. 12. Milk shall be bought and sold by wine measure, the standard for which shall be 231 cubic inches to the gallon, and for subdivisions of a gallon in the same proportion.

Sec. 13. All measures or vessels used in the sale of milk shall be tried and proved by the standard of wine measure, and the quantity they hold agreeable to said measure shall

be agreed thereon. Any person selling milk by any measure not so tried, sealed and marked shall forfeit for each offense ten dollars.

Sec. 14. All milk cans used in purchasing milk at wholesale shall be sealed annually by the Sealer of Weights and Measures in the city or town where the purchaser resides, and no milk can shall be sealed which does not contain one or more quarts, and the capacity of the can shall be legibly marked upon and by the sealer.

Sec. 15. When milk is purchased by the can such can shall hold eight quarts of milk and no more.

Sec. 16. Any person violating the provisions of the two preceding sections shall be fined not more than fifty dollars.

(Ch. 107, page 607, Session Laws of 1901.)
AN AMENDMENT TO CH. 127 OF THE
PUBLIC STATUTES RELATING TO
MILK.

(Sec. 1 amendment): Sec. 1. The Boards of Health of cities shall be in charge of the inspection of milk, skimmed milk and cream, and may appoint one or more persons as their agents for that purpose who shall act under their direction in their respective places. The compensation of such agents shall be fixed by said boards, but no milk inspector shall be paid for his services unless he is a registered chemist, or is the holder of a certificate from the Superintendent of the Dairy Department of the New Hampshire College of Agriculture and the Mechanical Arts, showing the said holder to be qualified to perform such work.

Sec. 2. The select men of towns may annually appoint one or more persons to be inspectors of milk, skimmed milk and cream under the same provisions and conditions as agents are appointed by Boards of Health.

Sec. 3. The Boards of Health of cities and the select men of towns may grant any person who applies therefor, and pays two dollars, a license to sell milk, skimmed milk and cream within that city and town until the 1st day of June next following, and may renew such license upon payment of a like fee in the month of May annually; provided, said applicant will satisfy said boards of selectmen that he understands the care and handling of said product, and files the names and addresses of all his producers and gives reasonable assurance that the cows from which the milk is taken are healthy and properly cared for. The license and its renewal shall state the name of the party to whom granted, his residence, place of business, names of persons employed by him in carrying on the business, number of carriages used, name of the town for which it is granted and the number of the license. It shall not be transferable. The person to whom such a license is

granted shall cause his name, place of business and number of license to be legibly placed on the outer side of all carriages used in the business; and in case of a merchant selling or offering milk for sale in a store or market place in the city or town in which said licenses are granted, said license and its renewals shall be posted in a conspicuous place in said merchant's place of business.

Sec. 4. Whoever goes about in carriages or makes a business of selling milk, skimmed milk or cream in any such city or town, or offers for sale, or possesses same with intent to sell, milk, skimmed milk or cream, unless a license has been first obtained, as provided in the preceding section, or violates any of the preceding sections, shall be fined not more than ten dollars for the first offense or fifty dollars, or imprisonment for not more than sixty days, or both, for a subsequent offense.

Sec. 5. Every person selling milk, skimmed milk or cream in a store or market place in a city or town in which licenses are granted, shall procure a license. Any person so selling without a license shall be punished as provided in section 4.

Sec. 6. The Boards of Health of cities and their agents, the selectmen of towns, and the inspectors appointed by them, may enter places where milk, skimmed milk or cream are stored or kept for sale, or carriages used for the conveyance thereof, and take such samples of milk, skimmed milk or cream as they may deem necessary upon payment of the current price therefor, and may examine the milk, skimmed or cream, there found, and, if requested, leave a sample of the same product, securely sealed, with the person from whom said sample was taken; and if they believe said milk, skimmed milk or cream is adulterated, they shall cause specimens thereof to be analyzed or tested, and make a record of the test thereof.

Sec. 7. They shall make a record of all licenses granted and renewed by them, with all registries made with them; same shall be open to public inspection, and pay to the treasurer of their city or town all fees received, within thirty days after receipt.

Sec. 8. No dealer in milk shall sell, exchange, deliver or possess with intent to sell, exchange or deliver milk from which the cream, or any part thereof, has been removed, unless in a conspicuous place above the center, upon the outside of every vessel, can or package, in which said milk is sold, the words "Skimmed milk" are distinctly marked in letters not less than one inch in length. Whoever violates this section shall be punished as provided in section 17 hereof.

Sec. 9. A record shall be kept by said boards and selectmen of each conviction in their re-

spective cities and towns of any violation of the provisions of this chapter.

Sec. 10. Any board of health, agent thereof, or selectman or inspector appointed under the provisions hereof, who wilfully connives at or assists in the violation of the provisions of this chapter, shall be fined not more than three hundred dollars or imprisoned for not more than sixty days or both.

Sec. 11. The preceding sections shall be in force only in such towns and cities as now have inspectors of milk, and those which may hereafter adopt the same; but this act shall not affect anyone who may at the time of the passage thereof be elected inspector of milk in any city in this state, so as to cut short his present term of office or vary his salary.

(Sec. 2 amendment): Sec. 17. If any person adulterates milk, skimmed milk or cream with water or otherwise, to be sold or sell, offer for sale or possess with intent to sell, any adulterated or unwholesome milk, skimmed milk or cream containing any coloring matter or preservative, or any milk produced from sick or diseased cows or cows fed upon the refuse of breweries or distilleries, or any other substance deleterious to the quality of the milk, skimmed milk or cream, or sell, offer for sale or possess with intent to sell, as pure milk, any milk from which the cream or a part thereof has been removed, he shall be fined not more than two hundred dollars or imprisoned not more than sixty days, or both. It shall be the duty of the Boards of Health or milk inspectors to file necessary information with the chief of police of the city or town, or the county solicitor, to prosecute offenders under this act.

Sec. 18. In all proceedings under this chapter, if milk is shown, upon analysis, to contain less than thirteen per cent of milk solids or less than nine and a half per cent of milk solids, exclusive of fat, or less than three and a half per cent of fat, it shall be considered evidence of adulteration, except during the months of April, May, June, July, August and September, when milk containing less than twelve per cent of milk solids, or less than three per cent of fat, shall be considered evidence of adulteration, or, if in the case of skimmed milk, it contains more than 91 per cent of water, and less than nine per cent of milk solids, exclusive of fat, it shall be considered evidence of adulteration.

Sec. 3. Repeals all acts inconsistent herewith.

ADULTERATED BUTTER, OLEOMARGARINE AND IMITATION CHEESE.

Sec. 19. No person, by himself or otherwise, shall render, manufacture, sell, offer or expose for sale, or possess with intent to sell, any article, product or compound, made wholly

or partly out of any fat, oil or oleaginous substance or compound thereof, not produced from unadulterated milk or cream from the same, which shall be an imitation of yellow butter, produced from pure unadulterated milk or cream; or in imitation of cheese produced from unadulterated milk or cream, unless the same is contained in tubs, firkins, boxes or packages, each of which has upon it the word "Adulterated butter," "Oleomargarine," or "Imitation cheese," as the case may be, in plain Roman letters, not less than half an inch in length, so placed that they can readily be seen and read and not easily defaced; and if the substance or compound is a substitute for cheese, unless the cloth surrounding it has a like inscription; but if it is a substitute for butter, unless it shall be of some other color than that of yellow butter. When any such substance or compound is sold in less quantities than the original packages contain, the seller shall deliver to the purchaser a label bearing the words or indicating its character, as above in like letters; provided, nothing in this act shall prohibit the manufacture and sale of oleomargarine in a separate and distinct form, in such manner as will advise the consumer of its real character, free from any coloration or ingredient that causes it to look like butter.

It shall be unlawful for any person to sell, peddle or deliver from any cart, wagon or other vehicle upon the public streets or ways, oleomargarine, butterine or any similar substance, unless branded and marked as required in section 19 of this act.

It shall be unlawful for any person to furnish to any hotel, boarding house, restaurant or lunch counter oleomargarine, butterine or similar substance to any guest or patron of said hotel, boarding house, restaurant or lunch counter without first notifying such guest or patron that the substance so furnished is not butter.

Any person violating the provisions of the foregoing sections shall be fined not less than twenty-five dollars nor more than fifty dollars for the first offense, and not less than fifty dollars or more than one hundred dollars, or imprisonment not less than ten nor more than ninety days, or both, for a subsequent offense.

Sec. 20. It shall be the duty of the State Board of Agriculture to cause the provisions of chapter 115 of the laws of 1895 relating to the sale of adulterated butter, oleomargarine and imitation cheese to be enforced.

Sec. 21. The complainant in any such action may cause specimens of butter or cheese suspected of being imitations to be analyzed or tested. The expense of such analysis not to exceed twenty dollars in any one case may be taxed as costs.

Sec. 22. The terms "Butter" and "Cheese" shall be understood to mean the products usually known by those names which are manufactured exclusively from milk or cream or both, with salt, and with or without coloring matter, and, if cheese, with rennet.

If any person shall, within this state, solicit or take any order for any substance or compound, the sale, offer to sell or keeping in possession of which with intent to sell is prohibited by the provisions of sections 19 and 20 of Ch. 127, Public Statutes, to be delivered to any place without this state, knowing or having reasonable cause to believe that, if so delivered the same will be transported into this state and sold in violation of the laws thereof, he shall be fined fifty dollars for the first offense and for any subsequent offense he shall be fined one hundred dollars and imprisoned not more than ninety days.

Sec. 23. It shall be the duty of inspectors of milk, if any in the town, and if not of the health officers, to make complaints for violations of this chapter, when furnished with evidence thereof, and prosecute the same; but any person may do so.

Sec. 24. Any person who begins and prosecutes any action under this chapter, at his own expense, and any town whose officers begin and prosecute any such action at its expense, shall be entitled to one-half of every fine imposed therein, and the county to the other half.

P. S. CH. 107.

DUTIES OF BOARD OF HEALTH.

Sec. 4. The Board of Health shall take cognizance of the interests of the public health relating to the sale of drugs and foods, and adulteration of the same, and make all necessary investigations and inquiries with reference thereto, and for these purposes may appoint inspectors, analysts or chemists. Said board may expend annually an amount not exceeding eight hundred dollars for the purpose of carrying out the provisions of this section of the chapter relating to the adulteration and selling of unwholesome foods and poisons.

P. S. CH. 269.

ADULTERATION OF UNWHOLESOME FOODS AND POISONS.

Sec. 1. No person shall sell or offer for sale any adulterated drug or substance to be used in the manner of medicine or any adulterated article of food or substance to be used in the manner of food or drink.

Sec. 2. If any drug or substance used for medicine sold under a name recognized by the United States Pharmacopoea, or other standard work on materia medica, differs materially from the standard of strength, quality or purity laid down therein, or contains less of the active principle than is contained in the gen-

uine article, or falls below the professed standard under which it is sold, it shall be deemed adulterated.

Sec. 3. If any food or substance to be eaten or used in the manner of food or drink, contains a less quantity of any valuable constituent than is contained in the genuine article or contains any foreign substance, or is colored, coated, polished or powdered, whereby damage is concealed, or contains any added poisonous ingredient or consists wholly or in part of any decomposed, putrid or diseased substances, or has become offensive or injured from age or improper care, it shall be deemed adulterated.

Sec. 4. Whoever fraudulently adulterates, for the purpose of sale, any article of food or drink, drug or medicine, or knowingly sells any adulterated article of food, or drink, drug or medicine, or unwholesome provisions as defined herein, shall be imprisoned not exceeding one year or fined not exceeding four hundred dollars.

Sec. 5. Every person offering or exposing for sale, any drug or article of food, within the meaning of this chapter, shall furnish to any analyst, or other officer appointed for the purpose, who shall apply for same and tender him its value in money, a sample sufficient for analysis of such drug or article of food.

Sec. 6. Any person who has reason to doubt the purity of any article of food which he has purchased may send, at his own expense, a sealed sample of it to the State Board of Health for inspection. If, upon examination, the article appears to be adulterated, the board may obtain a certified sample of it, and should it prove to be adulterated, shall commence proceedings at once against the vendor.

Sec. 7. Whoever hinders, obstructs or in any way interferes with any inspector, analyst or other person, in the performance of his duty hereunder, shall be fined not exceeding fifty dollars for the first offense and one hundred dollars for each subsequent offense.

Sec. 8. Before commencing the analysis of a sample the analyst shall reserve a portion, which shall be sealed, and, in case of a complaint or indictment, part of the reserved portion of the sample shall, upon application, be delivered to the defendant, and a part to the Secretary of the State Board of Health.

Sec. 9. The State Board of Health shall adopt such measures as it may deem necessary to facilitate the enforcement of this chapter, and for the collecting and examining of drugs and foods, etc.

Sec. 10. Whoever adulterates for the purpose of sale, any liquors used or intended for drink, with cocculus indicus, vitriol, grain of Paradise, opium, alum, capsicum, copperas, laurel-water, logwood, Brazil wood, cochineal,

sugar of lead or other substance which is poisonous or injurious to health, or knowingly sells any such liquor so adulterated, shall be fined not exceeding one thousand dollars or imprisoned not exceeding one year.

Sec. 11. Whoever kills, for the purpose of sale, a calf less than four weeks old, or knowingly sells or possesses with intent to sell, for food, the meat of any such calf, shall be fined not exceeding fifty dollars or imprisoned not exceeding thirty days, or both.

Sec. 12. Any meat, unwholesome provisions or articles sold, kept or offered for sale, or adulterated in violation of the preceding section shall be forfeited.

ADULTERATED CANDY.

(1899, Ch. 26, Sec. 1). No person shall, by himself or otherwise, manufacture for sale, or

knowingly sell, or offer to sell any candy, adulterated by the admixture of terra alba, barytes, tale or other mineral substance, by poisonous colors or flavors, or other ingredients deleterious to health.

Sec. 2. Whoever violates the provisions of this act shall be punished by a fine not exceeding one hundred dollars or less than fifty dollars, and the candy so adulterated shall be forfeited and destroyed.

Sec. 3. It is the duty of Prosecuting Attorneys to prosecute complaints hereunder.

CH. 87, PAGE 583, LAWS OF 1901.

Sec. 1 amends Ch. 251, P. S., so that Justices of the Peace may issue search warrants to search for oleomargarine, butterine or any oleaginous substance not produced from pure, unadulterated milk or cream of the same, which is an imitation of yellow butter.

PURE FOOD LAWS OF NEW JERSEY.

In the State of New Jersey the Board of Health is charged with the enforcement of the Pure Food Laws of the State. The Board is composed of five physicians, the Secretary of State, Attorney General and State Geologist. The membership is as follows:

The Secretary of State,
The Attorney General,
The State Geologist,

Members ex-officio.

Henry W. Elmer, M. D.,

Henry B. Rue, M. D.,

William H. Murray, M. D.,

George P. Olcott, C. E.,

Laban Dennis, M. D.

President, Cyrus F. Brackett.

Secretary, Henry Mitchell.

The office of the Board is in the State House, Trenton.

The laws to secure the purity of food, beverages, drugs, etc., and to prevent deception in the distribution and sale therein, are in substance as follows:

Section 1. The term "food" includes every article used for food or drink by man, and every ingredient thereof, and all confectionery; and the term "drug" includes every article of medicine for internal or external use and every ingredient therein.

Sec. 2. The following drugs are deemed to be impure within the meaning of this act:

First.—Any drug which recognized in the United States Pharmacopœia possesses a strength, quality, or degree of power inferior to that laid down in such pharmacopœia. Second.—Any drug which not being recognized in the

United States Pharmacopœia, but found in some other pharmacopœia, or in some standard work on materia medica, possesses a strength, quality or degree of power inferior to and different from that laid down in such pharmacopœia or standard work. Third.—Any drug whose strength, quality or degree of power falls below the professed standard under which it is sold.

Sec. 3. The following foods are deemed to be impure within the meaning of this act:

First.—Any food which is rendered poisonous or injurious to health, or whose quality, strength or degree of power is injuriously reduced or affected by adding thereto or mixing therewith any other substances. Second.—Any food for any of whose substances there has been substituted any substance or substances inferior to or cheaper than the constituents naturally or customarily composing such food. Third.—Any food from which has been wholly or partially abstracted any valuable or necessary constituent. Fourth.—Any food which consists wholly or in part of diseased, decomposed, putrid, tainted or rotten animal or vegetable substances, whether manufactured or not. Fifth.—In the case of milk, if it contain more than 88 per centum of water fluids or less than 12 per centum of milk solids; or if any water, drug, chemical, preservative or other substance be added thereto or mixed therewith. No person shall kill or aid in killing for human food any calf less than three weeks old, or sell or have in his possession for human food any such calf or the meat thereof.

Sec. 4. Prohibits the distribution or sale of

any article of food or drug which by the provisions hereof is deemed impure.

Sec. 5. Prohibits the distribution or sale of any article of food or drug in imitation of some other article of food or drug; same shall be distributed and sold only by the true name of the imitation.

Sec. 6. Prohibits the distribution or sale of any food which shall have been colored, coated, polished, powdered or treated in such manner as to conceal any element of injury or damage therein or any inferiority of quality.

Sec. 7. No person shall keep cows for the production of milk in a crowded or unhealthy place or condition, or feed a cow kept for the purpose of milk on swill, or any substances in a state of putrefaction or rottenness, and substances of an unwholesome nature, or any food or substance that may produce disease or unwholesome milk. And prohibits the distribution and sale of any milk which is the product of cows so kept or fed.

Sec. 8. No person having possession or care of any milk shall expose the same to the emanations, discharges, or exhalations from any person or persons sick with a contagious disease, and prohibits the sale or distribution of any milk so exposed.

Sec. 9. Prohibits the sale of any milk from which the cream or any part thereof has been removed, unless every can, vessel or package thereof shall have a metal label or tag of metal distinctly and permanently soldered upon the outside and not more than six inches from the top thereof containing the words "Skimmed milk" indented or engraved on said label or tag in letters not less than two inches in height and the several lines of which shall be not less than three-eighths of an inch in width; provided, however, that every glass bottle in lieu of such label or tag may have blown in it the words "Skimmed milk" in letters not less than one inch in height, and one-eighth of an inch in width, such milk to be sold or retailed out of a can or bottle or package so marked.

Sec. 10. No person shall sell, supply or bring to be manufactured to any cheese or butter manufactory any milk which, under the provisions of this act, is deemed impure or from which the cream has been removed or the sale of which otherwise in this act is prohibited.

Sec. 11. The State Board of Health shall have the power to adopt, promulgate and publish, by circular or otherwise, such general rules and regulations for the government of the analysts, chemists, chief inspector, and such other inspectors and employes appointed by said board as they may deem proper; they shall also have the power to give to any analyst, chemist or chief inspector or other employe appointed by the board orders concerning any performance

of duty as they may deem proper; they shall also have power to appoint such analysts, chemists and inspectors and employes who shall hold their positions during the pleasure of said board, and perform general or special services as the board may require; and said board shall fix and allow fees or compensations to such analysts, employes, etc., to be paid out of appropriations made by the legislature for carrying out the provisions of this act. Said board may make inquiries and investigations concerning alleged or probable violations hereof, and cause prosecution therefor.

Sec. 12. Every person shall on request deliver to any chief or other employe under this act any article of food or drug in the quantity that such inspector may require, provided the value thereof is tendered. Said inspector shall divide such sample into two parts and seal each part in a suitable can or other package and deliver one part to the person selling, with a statement in writing of the cause of the samples having been taken; and in any prosecution of a dealer of any food or drug for a violation of this act no proof of the result of any analysis thereof shall be given in evidence by the prosecutor unless said sample or a part thereof shall have been sealed up and tendered to the dealer as aforesaid.

Sec. 13. A penalty of \$50 is provided for the violation of the provisions of this act; provided, that if any person charged with the violation of any of the provisions of this act shall prove that the article alleged to be impure was produced under a warranty from any person or persons residing in this state that said article was pure within the meaning hereof and file with the proper officer a copy of such warranty the person so complained against shall be discharged. The warranty to justify this charge shall be in the following form, to-wit: "It is hereby warranted that the following described article or articles, to-wit, _____ are pure and unadulterated within the meaning of the act of the legislature of the State of New Jersey entitled 'An Act to secure the purity of foods, beverages, confectionery, condiments, drugs and medicines, and to prevent deception in the distribution and sales thereof, approved the _____ day of _____, A. D. 1901;'" every such warrant shall be signed by the warrantor, and shall be a defense except that the person offering same shall have had prior notice of the impurity of the article mentioned.

Sec. 14. Every district court, justice of the peace in any city or county, or police justice or recorder in any city, is given jurisdiction in prosecutions for violations of this act. This section provides how prosecutions shall be begun and sets forth forms for the proceeding therein under.

Sec. 15. Provides for trial by jury and a form of judgment given in case the prosecution shall be awarded same.

Sec. 16. Provides for appeal from the determination of said action, provided notice of such appeal shall be given to the other party, such appeal to be taken to the circuit court of the county where such action is had. Also provides for security for costs of said proceedings, stenographer's fees, transcripts, witnesses, etc.

Sec. 17. Relates to executions upon judgments in case of executions, etc.

Sec. 18. Provides what officers shall execute any process or executions issued as aforesaid.

Sec. 19. It is a misdemeanor to utter any false warranty of the form prescribed in section 15 of this act, punishable by a fine of not more than \$500 or imprisonment at hard labor for not more than one year.

Sec. 20. The State Board of Health may expend a sum not exceeding \$15,000 for carrying out the provisions of this act; provided that an appropriation shall first be made by the legislature.

Sec. 21. The office of State Dairy Commissioner is abolished, and his duties shall be performed by the Chief Inspector under the direction of the State Board of Health.

Sec. 22. Repeals: "An Act to protect butter and cheese manufacturers," approved March 23, 1865; "An Act relative to the Dairy Commissioner," approved June 13, 1895; "An Act to prevent the adulteration and to regulate the sale of milk," approved March 14, 1882; and all acts supplementary thereto and amendatory thereof; "An Act to prevent the adulteration of candy," approved March 14, 1895; "An Act to prevent the adulteration of food or drugs," approved March 25, 1881, and all acts supplementary thereto and amendatory thereof; and "An Act to prevent deception in the sale of cakes and biscuits and to preserve the public health," approved March 22, 1895, and all other acts and parts of acts inconsistent with this act.

OLEOMARGARINE AND DAIRY PRODUCTS.

Section 1. Prohibits the sale of oleomargarine, butterine, or suine, or any substance in imitation of natural butter or cheese, or substance that is rendered, manufactured or compounded out of any animal or vegetable or mineral fat or oil, not produced from pure milk or from cream from pure milk, unless contained in and sold out of or in tubs, pails, vessels or packages marked and labeled as required in section 3 hereof.

Sec. 2. Prohibits the sale of any mixture or compound as natural butter or cheese with oleomargarine, butterine, suine, or any animal or vegetable or mineral fat or oil, or any sub-

stance not the product of pure milk or cream, as required in section 1, and except the same shall be sold as required in said section 1.

Sec. 3. Prohibits the sale of oleomargarine, butterine, suine, or imitations of natural butter or cheese, except when contained in tubs, firkins, vessels, packages, etc., that are marked and labeled as follows, to-wit: Every such tub, firkin, vessel or package shall have printed on the outside thereof and midway between the top and bottom thereof, a strip or band at least three inches wide and extending completely around said vessel or package, and said strip or band shall be painted with black paint; every such vessel or package shall have legibly branded and burnt in, by means of a branding or burning iron, on the outside of the cover and on the outside of said vessel or package, in two places as nearly opposite each other as possible, the words "oleomargarine," "butterine," "suine," or "imitation butter," or "imitation cheese," as the case may be, and said name or title shall be composed of Roman letters at least one-half an inch high and at least one-quarter of an inch broad, and said name or title shall be at least ten inches long; and every such tub, pail, box, firkin or other vessel or package shall bear a label or shall have branded on it a mark giving the name and address of the maker of the contents thereof, and the name and location of the manufacturer.

Sec. 4. (Amended by Section 24, *Post*.)

Sec. 5. Prohibits the sale of oleomargarine, butterine, suine, or imitations of natural butter or cheese that is colored, stained, or mixed with annatto or any other coloring matter or substance.

Sec. 6. By "natural butter," or "natural butter or cheese," is meant the product or products usually known by these names, manufactured exclusively from milk or cream, or both, with salt or salt and rennet, and with or without coloring matter or sage; and the terms "oleomargarine," "butterine," "suine," or "substances in imitation or semblance of natural butter or cheese" shall be held to mean any substance that is rendered, made, manufactured, or compounded out of any animal or vegetable or mineral oils or fats not the product of pure milk or cream from pure milk; also any compound or mixture of natural butter or cheese or milk or cream with any of these substances not milk or cream.

Sec. 7. The possession by any person of any oleaginous substance or food for public use as defined herein, not natural butter, and not contained in a tub or vessel marked in accordance with the provisions of section 3, shall be *prima facie* evidence of intent to sell the same."

Sec. 8. Prohibits the removal of the band or strip of paint or brands required in section 3 of

this act from any vessel containing oleaginous substances as defined herein.

Sec. 9. Every person who shall violate this act shall be liable to a penalty of \$100 for the first offense and \$200 for a second or subsequent offense.

Sec. 10. Confers jurisdiction of prosecutions under this act upon every District Court in any city and every justice of the peace in any county and every recorder in any city for violations of this act and for prosecutions thereunder, and the manner of conducting proceedings in connection therewith.

Section 11. Provides for service of process under this act.

Sec. 12. Provides for judgments from time to time and for bail under this act.

Sec. 13. Provides for payment of costs and right of appeal.

Sec. 14. Provides that penalties shall be paid into the state treasury.

Sec. 16. The commissioner shall be authorized to expend for the purposes of this act an amount not to exceed \$10,000 in any one year.

Sec. 17. The commissioner and his clerks, assistants, and agents shall have full access, ingress, and egress to all places of business, factories, farms, buildings, hotels, boarding houses, restaurants, carriages, cars, vessels, cans, etc., used in the manufacture or sale of any dairy product or imitation thereof. They shall also have the power to open any package or vessel or can containing articles manufactured or sold in violation of the provisions of this act and take samples therefrom for analysis.

Sec. 18. Declares this act to be intended to prevent deception in the sale of oleomargarine, butterine, or imitations of any dairy product, and to preserve the public health.

Sec. 19. That an act entitled "An act for the protection of dairymen and to prevent deception in sales of butter," approved Feb. 21, 1884, and an act entitled "An act to prohibit the manufacture of impure and imitation dairy products," approved May 5, 1884, and all acts and parts of acts inconsistent or in conflict with this act be and the same are hereby repealed.

SUPPLEMENT TO LAWS.

Approved April 21, 1887.

Sec. 5. Provides for forms in cases of conviction resulting from prosecutions under this act.

SUPPLEMENT.

Approved March 25, 1895.

Sec. 1. Prohibits the same, rendering or manufacturing of any article, product, or compound made wholly or partly out of any fat, oil, or oleaginous substance or compound thereof not produced from unadulterated milk, or cream from the same, artificially colored in imitation of yellow butter produced from pure unadulterated milk or cream from the same; provided, that this act shall not prohibit the manufacture or sale of oleomargarine in a manner regulated

by the act to which this is a supplement, and in such manner as will advise the customer of its real character, free from official coloring which causes it to look like butter.

Sec. 2. It is a misdemeanor to violate the preceding section of this act, punishable by imprisonment not exceeding six months, or a penalty of \$200.

ADULTERATED AND SKIMMED MILK.

Approved March 23, 1883.

Sec. 1. No milk which has been watered, adulterated, or changed by the addition of water or other substances, or by the removal of cream, shall be kept or offered for sale in any city of the first class in this state.

Sec. 2. Every violation of this act shall be punishable by a fine of \$50 for the first offense or \$100 for a subsequent offense, and such penalty shall be recovered under the act entitled "An act to prevent adulterations and to regulate the sale of milk."

Approved March 14, 1882.

HORSES AND THE SALE OF HORSE FLESH.

Sec. 1. Local boards of health shall have power to pass, alter, or amend ordinances for the following purposes, in addition to the purposes now authorized by law:

I. To regulate and control the sale of horses for food; to provide for their inspection both before and after slaughtering; and to provide for the granting of permits to carry on the business of slaughtering horses for food.

II. To regulate the manner of constructing, repairing, furnishing, and caring for houses and buildings used for the slaughtering of horses, matters relating to sanitary conditions thereof, and to regulate and control the location of such houses and buildings.

Sec. 2. Any local board of health may prescribe a penalty not exceeding \$100 for any violation of any ordinance or section adopted under this act, recoverable under an act entitled "An act to establish in this state boards of health and a board of vital statistics, and to define their respective powers and duties," approved March 31, 1887, and the supplements thereto.

Sec. 3. Prohibits the sale of horse flesh unless every carcass, piece, and parcel thereof shall be conspicuously labeled with a tag not less than three inches wide and four inches long, on which shall be printed or stamped in letters not less than one inch in height the words "horse flesh," and a penalty shall be paid for a violation of this act of \$100. Provides further for the recovery of such penalty, with costs of the proceedings, to be had in case of prosecution, and the disposition of such penalty when paid.

Sec. 4. Provides for the jurisdiction under this act, judgments, recovery of the penalty, and disposition of the same.

Sec. 5. Provides for the form of conviction.

PURE FOOD LAW OF NEW MEXICO.

In the Territory of New Mexico there has not been created a dairy or food commission. It does not appear that any department of state is specifically charged with the enforcement of the laws against the adulteration of food and drink. These laws come under the heading of "Offenses Against Public Policy and Public Health," and the law in regard to them may be invoked as for other misdemeanors within the state. A digest of these laws is as follows:

COMPILED LAWS OF NEW MEXICO.

Sec. 1244. Provides that if any person knowingly sells any kind of damaged, spoiled, or unhealthy provisions, either for food or drink, without giving sufficient notice to the purchasers thereof, he shall be fined not exceeding \$500, or imprisoned in the county jail not exceeding six months.

Sec. 1245. If any person shall fraudulently adulterate for the purpose of sale any drug or medicine in such manner as to make same injurious to health, he shall be punished by imprisonment in the county jail not exceeding one year, or fined not exceeding \$300, and such drug or medicines shall be forfeited and destroyed.

Sec. 1246. No person within the Territory of New Mexico shall mix, color, stain or powder, or permit same to be done, any article of food or drugs, with any ingredient so as to render the article injurious to health, or manufacture any article of food, composed in whole or in part, of diseased, decomposed, offensive, or unclean animal or vegetable substance, with intent to sell the same in said Territory. And no person shall sell, in the Territory of New Mexico, any such article, so mixed, colored, stained, powdered or manufactured. A violation of this section is a misdemeanor punishable by a fine of not exceeding \$200 for the first offense, and for each subsequent offense not exceeding \$300, or imprisonment not exceeding one year, or both.

Sec. 1247. No person shall, within said Territory, except for the purpose of compounding, as hereinafter described, mix, color, stain or powder, or order or permit any other person so to do, any drug, with any ingredient or material, so as to affect injuriously the quality of such drug, with the intent that the same may be sold in said Territory; and no person shall sell any such drug so mixed, colored, stained or powdered, under the same penalty in each case respectively as in the preceding section for a first and subsequent offense.

Sec. 1248. No person shall be convicted under either of the last two foregoing sections if he shows, to the satisfaction of the court, that he did not know of the article of food or drug sold by him being so mixed, colored, stained or powdered, as in said sections mentioned, and

that he could not with reasonable diligence have obtained that knowledge.

Sec. 1249. No person shall within said Territory, sell any article of food or drug which is not of the nature, substance and quality of the article demanded by any purchaser. A violation hereof is punishable for the first offense by a fine not exceeding \$50 and for each subsequent offense not exceeding \$100, or imprisonment not exceeding six months, or both. *Provided*, that an offense shall not be deemed to be committed under this section in the following cases: *First*, where any matter or ingredient not injurious to health has been added to the food or drug because the same is required in the production or preparation thereof as an article of commerce in a state fit for carriage or consumption, and not fraudulently to increase the bulk, weight or measure of the food or drug, or conceal the inferior quantity thereof. *Second*, where the drug or food is a proprietary medicine. *Third*, where the food or drug is unavoidably mixed with some extraneous matter in the process of collection or preparation.

Sec. 1250. No person shall sell in said Territory any compound article of food or compounded drug not composed of ingredients in accordance with the demands of the purchaser. A violation of this section is a misdemeanor punishable by a fine not exceeding \$50. *Provided*, no person shall be guilty of any such offense if at the time of delivering such article or drug he shall supply to the person receiving the same a label distinctly and legibly written or printed, on or with the article or drug to the effect that the same is mixed.

Sec. 1251. No person shall in said Territory, with intent that same may be sold in its altered state, without notice, abstract from any article of food any part of it so as to affect injuriously its quality, substance or nature, and no person shall sell any article so altered without making disclosure of the alteration. Any person violating this section shall be guilty of a misdemeanor, and fined not exceeding \$100.

Sec. 1252. In any prosecution under this act, where the fact of an article having been sold in a mixed state has been proved, if the defendant shall desire to rely upon any proviso contained in this act, the burden of proof shall be upon him.

Sec. 1253. If the defendant in any prosecution under this act proves to the satisfaction of the court that he purchased the article in question as the same in nature, substance and quality as that demanded of him by the purchaser, with a written guarantee to that effect; that he had no reason to believe when he sold it that the article was otherwise; and that he sold it in the same state as when he purchased it, he shall be discharged.

PURE FOOD LAWS OF THE STATE OF NEW YORK.

The pure food laws of the State of New York are enforced by the State Board of Agriculture and the State Board of Health. The State Board of Agriculture is charged with the enforcement of all those laws relative to all dairy and agriculture products of the state, and the State Board of Health shall take cognizance of the interests of the public health as affected by the sale or use of food and drugs, and the adulterations thereof.

THE STATE DEPARTMENT OF AGRICULTURE CONSISTS OF THE FOLLOWING MEMBERS:

Charles A. Wieting, Commissioner, Cobleskill.

ASSISTANT COMMISSIONERS.

George L. Flanders, 1st Division, Albany.
Frederick J. H. Kracke, 2nd Division, 23 Park Row, New York.

Ebenezer J. Preston, 3rd Division, Amenia.
T. James Owens, 4th Division, Rensen.

S. Brown Richardson, 5th Division, Lowville.

Charles T. Russell, 6th Division, Munnsville.

Verlett C. Beebe, 7th Division, Arcade.
William T. Hughes, 8th Division, Powers Block, Rochester.

John H. Grant, 9th Division, Ellicott Sq., Buffalo.

James P. Clark, 10th Division, Falconer.

THE STATE BOARD OF HEALTH CONSISTS OF THE FOLLOWING MEMBERS:

Daniel Lewis, M. D., Commissioner.

W. E. Johnson, M. D., Secretary.

F. C. Curtis, M. D., Medical Expert.

T. A. Stuart, Chief Clerk.

F. D. Beagle, Registrar of Vital Statistics.

George Blumer, M. D., Director Bureau of Pathology and Bacteriology.

Professor Willis G. Tucker, Director Bureau of Chemistry.

Rosswell Park, M. D., Director Cancer Laboratory.

Prof. Olin H. Landreth, Consulting Engineer.

P. A. Callen, Consulting Ophthalmologist.

Herbert D. Pease, M. D., Director Anti-Toxin Laboratory.

A digest of the laws is as follows:

CHAPTER 338.

AN ACT IN RELATION TO AGRICULTURE, APPROVED BY THE GOVERNOR, APRIL 10TH, 1893.

ARTICLE I.

Sec. 1. This chapter shall be known as the Agricultural Law.

Sec. 2. Provides that there shall be a department of the State Government known as the

Department of Agriculture, which shall be charged with the execution of all laws relating to agriculture or agricultural products. The Commissioner of Agriculture shall be the chief of the department. He shall be appointed by the Governor. His term of office shall be three years at an annual salary of \$4,000, and necessary expenses not to exceed \$500. He may appoint a director of farmers' institutes, and such clerks and assistant commissioners, chemists, agents and counsel as he may deem necessary for the proper enforcement of such laws and the proper administration of the department, and fix their compensation. The trustees of public buildings shall furnish suitable rooms for the use of the department in the new capitol.

POWERS OF THE COMMISSIONER, HIS ASSISTANT AND EMPLOYES.

Sec. 3. Provides that the Commissioner, his clerks, assistants, experts, chemists, agents and counsel employed by him shall have full access to all places of business, factories, farms, buildings, carriages, cars and vessels used in the manufacture, sale or transportation within the State of any dairy products, or any imitation thereof, or any article or product with respect to which any authority is conferred by this chapter on such Commissioner. They may examine and open any package, can or vessel containing, or believed to contain, any article or product which may be manufactured, sold or exposed for sale in violation of the provisions of this chapter, and may inspect the contents thereof and may take therefrom samples for analysis.

EXPERT BUTTER AND CHEESE MAKERS.

Sec. 4. The Commissioner may appoint not more than five expert butter and cheese makers, who shall, under his direction, examine and inspect butter and cheese factories and attend at agricultural fairs, etc., to impart thereat information as to the best method of making butter and cheese, and improving the quality thereof.

Sec. 5. Provides for a report from the Commissioner of Agriculture on or before January 15th of his work and proceedings, for the year ending December 30th next preceding.

Sec. 6. Every certificate duly signed and acknowledged by a chemist, analyst or other expert employed by said Commissioner, or any analysis, examination or investigation made by such analyst, chemist or expert with respect to any matter or product which the Commissioner has authority to examine, shall be presumptive evidence of the facts therein stated.

Spices That Build Up Business.

Which of Shakespeare's characters was it who said: "Now is the winter of our discontent made glorious summer by a pinch of Spice?" No matter; he knew the value of Spice, and that is why we pushed him forward onto the stage, with all his imperfections on his head.

Just pause a moment from the duties of your arduous occupation, and allow recollection to lift a corner of that curtain which conceals from your inward vision the millions of mental images stored away in some unknown portion of your mysterious nervous system. Can you not find there a picture of some cheerless landscape, viewed on a cold gray day in autumn or winter, so forbidding in its aspect that it cast a melancholy tinge over your spirit? But ere you turned away, a gleam of sunshine broke from the clouds and instantly the landscape changed to a scene of genial, cheerful warmth, gay with light and color and chasing shadow, until you marvelled at the transformation.

Now, by a very slight stretch of your fancy (and we know that imagination was not omitted from your composition), you may behold the tamest and most tasteless food, from which even a hungry man would turn with a sigh, transformed into viands that please by aromatic odors and genial taste, and the change will be entirely due to

LEGGETT'S GOLDEN HORN SPICES.

Fair to the sight—fragrant to the smell—perfect in every particular. Just ONE quality and that the BEST. Spices of a style and quality that make 'em sell while others lie quietly on your shelves.

SPICES THAT MAKE AND HOLD HOUSEWIVES' TRADE.

STRENGTH

WE OFFER AS FOLLOWS.

Kind of Package..	Bbls. and ½ bbls.	Drums & Boxes.	Pl'n Cans	F'y Cans	Fibre Pail	FULL WEIGHT.					
						Square Tins.			R'd Tins.	R'd Tins.	Foil.
Size of Package..	About 250 & 125 lbs.	50 and 30 lbs.	6 & 10 lbs.	6 & 10 lbs.	29 lbs.	1 lb.	½ lb.	¼ lb.	¼ lb.	⅓ lb.	⅓ lb.
Gross Weights...	270 & 155	57 & 36	10 & 14	10 & 14	29	2-38	2-21 4-40	2-11 4-21	2-11 4-21	2-5	8-12
	Per lb.	Per lb.	Per lb.	Per lb.	Per lb.	Per doz	Per doz.	Per doz.	Per doz.	Per doz.	Per lb.
Allspice.....	12	13	14	17	14	2 75	1 50	85	90	60	25
Cinnamon.....	23	24	25	28	25	4 25	2 25	1 25	1 30	85	35
Cloves.....	20	21	22	25	22	4 25	2 25	1 25	1 30	85	35
Ginger—Jamaica.....	20	21	22	25	22	4 25	2 25	1 25	1 30	85	35
Ginger—Borneo.....	15	16	17	20	17	3 25	1 75	95	1 00	60	30
Ginger—African.....	14	15	16	19	16	3 00	1 65	88	90	57	30
Mace.....	64	65	66	69	66	9 00	4 60	2 50	2 55	1 75	76
Mustard.....	23	24	25	28	25	3 90	2 10	1 15	1 20	80	32
Nutmegs.....	45	46	47	50	47	7 50	3 90	2 15	2 15	1 15	60
Red Pepper.....	21	22	23	26	23	4 00	2 10	1 15	1 20	80	34
White Pepper.....	35	36	37	40	37	6 00	3 25	1 75	1 85	1 05	50
Black Pepper.....	19	20	21	24	21	3 35	1 80	96	1 10	60	30

We call attention to the fact that we GRIND all our own brands of spices. "Golden Horn" is our trade-mark for our very best grade. Every Spice under "Golden Horn" brand represents the highest grade goods of its kind obtainable in the world; no better Spices can be furnished, no matter what the price.

N. B.—One gross lots of package goods, if ordered at one time, subject to discount of 10 per cent.

WRITE US FOR SAMPLES.

An Expression of Confidence.

We appreciate Mail Orders—they're an expression of confidence—We treat them that way. Our Mail Order Department stands ready at all times to fill emergency orders. A letter or telegram direct to the house receives the same instant attention and scrupulous care that our representative would give it in person.

FRANCIS H. LEGGETT & CO.

IMPORTING AND MANUFACTURING GROCERS,

NEW YORK.

MANUFACTURING PLANT: 132, 134, 136 and 138 King Street.

Bordeaux Office, 18 Victoire Americaine

Sec. 7. The doing of anything prohibited by this chapter shall be evidence of the violation of the provision hereof relating to the things so prohibited, and the omission to do anything directed to be done shall be evidence of a violation of the provisions hereof, relative to the thing directed to be done. The intent of any person so violating the provisions hereof is immaterial in any prosecution. Any person who suffers or permits any violation of this chapter by his agent or otherwise, or in any room or building occupied or controlled by him, shall be a principal in such violation and liable accordingly.

Sec. 8. Whenever the Commissioner shall know or have reason to believe that any penalty has been incurred by any person for a violation of the provisions of this chapter, he may cause an action or proceeding to be brought in the name of the people for the recovery of the same.

Sec. 9. Provides that one-half of all money recovered as penalties or otherwise for violations hereof, or of the penal code relating to the punishment of criminal offenses committed in violation of the provisions of law for the prevention of frauds in the manufacture or sale of any of the articles or products to which this chapter relates, shall be paid to the city or county where the recovery shall be had for the benefit of the poor of such place, except in the city and county of New York, and the city of Brooklyn, where the same shall be paid to the proper authorities and divided equally between the pension funds of the police and fire department. The residue of such moneys shall be paid into the treasury of the state for the purpose of defraying the expenses of the department of agriculture.

Sec. 10. In an action in the Supreme Court for the recovery of a penalty or forfeiture incurred for the violation of any of the provisions of this chapter, an application may be made on the part of the people to the court for an injunction to restrain the defendant, his agents or employes from further violation of such provisions. The Court or Justice to whom such application may be made shall grant such injunction on proof by affidavit that the defendant has been guilty as alleged in the complaint, or of the violation of any such provision subsequent to the commencement of the action, and in the same manner as injunctions are usually granted under the rules and practice of the court. No security on the part of plaintiff shall be required, and costs of the application may be granted or refused by the court. If the plaintiff shall recover judgment for any penalty or any forfeiture demanded in the complaint, the judgment shall contain a permanent injunction restraining the defend-

ant, his agents, or employes from any further violation of such provision of the chapter. Any injunction, order, or judgment so obtained may be served on the defendant by posting the same upon the outer door of the defendant's usual place of business, or where such violation was or may be committed, or in the manner required by the code of civil procedure, or the rules and practice of the court. Personal service of injunction shall not be necessary when such service cannot be secured with reasonable diligence, but the service herein provided shall be deemed sufficient in any proceedings for the violation of such injunction.

Sec. 11. In an action for a penalty or forfeiture incurred by reason of the violation of the provisions of the chapter when the complaint charges the violation of any two or all of such provisions, plaintiff shall not be compelled to elect between the counts under such different provisions, but shall be entitled to recover, if it is found that a violation of any one of such provisions has been committed for which a penalty or forfeiture may be imposed.

LAWS OF 1898.

CHAPTER 557.

Sec. 1. Amends Sec. 12 or Art. 1, Ch. 338, Laws of 1893, so as to read in substance as follows:

Sec. 12. When the commissioner of agriculture, and assistant commissioner or any person authorized by the Commissioner or by this chapter to examine or inspect any product manufactured or offered for sale, shall, in the discharge of his duties, take samples of such product, he shall, before taking a sample, request the person delivering the milk or who has charge of it at the time of inspection, to thoroughly stir or mix the said milk before the sample is taken. If the person so in charge refuses to stir or mix the milk as requested, then the person so requesting shall himself so stir and mix the milk before taking the sample, and the defendant shall be precluded thereafter from introducing evidence to show that the milk so taken was not a fair sample of the milk delivered, sold, offered or exposed for sale by him. The person taking the sample of milk for analysis shall take duplicate samples thereof, in the presence of at least one witness, and shall in the presence of said witness, seal both of said samples and shall tender, and if accepted, deliver at the time of taking one sample to the manufacturer or vendor of such product, or person possessing same, with a statement in writing of the cause of taking of sample. In taking samples of milk for analysis at a creamery, factory or other place where same is delivered by the producer for manufacture, sale or shipment, or from a milk vendor who produces the milk which he sells, with a view of prosecuting the producer

GOLD MEDALS AND DIPLOMAS WON AT PAN-AMERICAN EXPOSITION FOR OUR ENTIRE LINE OF CANNED FRUITS AND VEGETABLES "FOR GENERAL SUPERIORITY."

PURE FOOD PRODUCTS

ESTABLISHED 30 YEARS

ERIE PRESERVING CO.

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Operate six country Canneries located in the midst of fruit farms and
—————vegetable gardens—————

OUR STEADILY INCREASING TRADE HAS REQUIRED INCREASED FACILITIES.

FENTON, N. Y.

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GOODS NOW SOLD IN THE PHILIPPINES, CUBA, 44 STATES AND TERRITORIES,
SOUTH AFRICA, CANADA, ALASKA, AND SIX COUNTRIES IN EUROPE.

Offer to the trade pure food products, canned goods, jellies, preserves, mince meat in bulk, condensed mince meat, pie fillers, catsup. Preserving is done entirely with the aid of heat. Every package absolutely guaranteed.



THE ONLY GRAPE JUICE GIVEN HIGHEST AWARD WITH HONORABLE MENTION AT THE PAN-AMERICAN EXPOSITION.

GLEASON'S GRAPE JUICE

is Guaranteed to be the Pure, Natural, Unfermented Juice of Choice Concord Grapes.

\$100 Will be given for every bottle of Gleason's GRAPE JUICE, as put up by us, found to contain any drug, antiseptic, preservative or adulterations of any kind. :: **\$100**

DO YOU UNDERSTAND THAT? WE MEAN IT!

There is no other Grape Juice offered for sale under this Absolute Guarantee.
See Commissioner's Report. Write for Booklet.

GLEASON GRAPE JUICE CO., RIPLEY, N. Y.

Western Office: 8 MARKET STREET, CHICAGO.

THE ONLY GRAPE JUICE Sold on a Money Guarantee of Absolute Purity

of such milk, for delivering, selling or offering for sale adulterated milk, the said commissioner or assistant or agent shall, within ten days thereafter, with the consent of the producer, take a sample in a like manner of the mixed milk of the herd of cows from which the milk first sampled was drawn, and shall deliver the duplicate sample to the said producer and cause the sample taken by himself or agent to be analyzed; if the sample of milk last taken by the commissioner or agent shall, upon analysis, prove to contain any higher percentage of milk solid or any higher percentage of food than the sample taken at the creamery, factory or other place, then no action shall lie against said producer for violation of subdivisions 1, 2, 3, 7 and 8 of Sec. 28 of the Agricultural Law. In taking a second sample as above set forth from the mixed milk of the herd, it shall be the duty of the Commissioner of Agriculture to have an assistant or agent present during the entire time in which the said cattle are being milked, to observe closely, so as to be sure that the milk thus to be sampled is not adulterated, and to see that it is thoroughly mixed so that the sample taken shall be a fair sample of the average quality of the mixed milk of the entire dairy or herd of cows of said producer. If, however, the said producer refuses to allow such examination of the milk produced by his dairy, then he shall be precluded from offering any evidence whatever tending to show that the milk delivered by him at said creamery, factory or other place was just as it came from the cow. If said producer does not permit such examination, the commissioner of agriculture shall, upon receiving application therefor, send to said producer a copy of the analysis of each of the samples of the milk so taken and analyzed as above provided.

ARTICLE II.

DAIRY PRODUCTS.

DEFINITIONS.

Sec. 20. The terms "butter" and "cheese" when used in this article mean the products of the dairy usually known by those terms, which are manufactured exclusively from pure, unadulterated milk or cream, or both, with or without salt or rennet, and with or without coloring matter or sage. The terms "oleomargarine," "butterine," "imitation butter" or "imitation cheese" shall be construed to mean any article or substance in the semblance of butter or cheese not the usual product of the dairy, and not made exclusively of pure and unadulterated milk or cream, or any such article or substance into which any oil, lard, or fat not produced from milk or cream enters as a component part, or into which melted butter, or butter in any condition or state, or any oil thereof, has been

introduced to take the place of cream. The term "adulterated milk" when so used means:

1. Milk containing more than 88 per centum of water or fluids.
2. Milk containing less than 12 percentum of milk solids.
3. Milk containing less than 3 percentum of fats.
4. Milk drawn from cows within fifteen days before and five days after parturition.
5. Milk drawn from animals fed on distillery waste, or any substance in a state of fermentation or putrefaction, or on any unhealthy food.
6. Milk drawn from cows kept in a crowded or unhealthy condition.
7. Milk from which any part of the cream has been removed.
8. Milk which has been diluted with water or any other fluid, or to which has been added or into which has been introduced any foreign substance whatever.

All adulterated milk shall be deemed unclean, unhealthy, impure and unwholesome. The terms "pure milk," or "unadulterated milk," when used singly or together, means sweet milk not adulterated; and the words "pure cream" and "unadulterated cream," when used singly or together, mean cream taken from pure and unadulterated milk.

CARE OF COWS.

Sec. 21. No person shall keep cows for the production of milk for market, sale or exchange, or for manufacturing the milk or cream from the same into any article of food, in a crowded or unhealthy condition, or feed such cows on distillery waste, or any substance in a state of putrefaction or fermentation, or upon any food that is unhealthy, or produces impure, unhealthy, diseased or unwholesome milk. This section shall not be construed to prohibit the feeding of ensilage.

LAWS OF 1900.

CHAPTER 101.

Sec. 1. Amends Sec. 22 of Ch. 338, Laws of 1893, so as to read as follows:

Sec. 22. No person shall sell or exchange, offer or expose for sale or exchange, any unclean, impure, unhealthy, adulterated or unwholesome milk or any cream from the same, or any unclean, impure, unhealthy, adulterated, colored or unwholesome cream, or sell or exchange or offer or expose for sale or exchange any article of food made from such milk or cream, or manufacture from such milk or cream any article of food.

CHAPTER 429.

LAWS OF 1901.

Sec. 1. Amends Sec. 23, Chapter 338, Laws of 1893, as amended by Chapter 544, Laws of 1900, to read as follows:

Sec. 23. No person shall sell, supply or bring to be manufactured to any butter or cheese factory any milk diluted with water, or any unclean, impure, unhealthy, adulterated or unwholesome milk, or milk from which any of the cream has been taken, except pure skim milk to skim cheese factories. No person shall sell, supply or bring to be manufactured to any butter or cheese factory any milk from which there has been kept back any part of the milk commonly known as strippings, or any milk that is sour, except pure skim milk to skim cheese factories. The owner or proprietor or the person having charge of any butter or cheese factory not buying all the milk used by him, shall not use for his own benefit, or allow any of his employees or any other person to use for his own benefit, any milk, cream, butter or cheese, or any other product thereof, brought to such factory without the consent of the owner of such milk or the products thereof. Every butter or cheese manufacturer not buying all the milk he uses, shall keep a correct account of all the milk daily received, of the number of packages of butter and cheese made each day, and the number of packages and aggregate weight of cheese and butter disposed of each day, which account shall be open to inspection of any person who delivers milk to such factory. Whenever manufacturers of butter or cheese purchase milk upon the basis of the amount of fat contained therein, and use for ascertaining the amount of fat what is known as the Babcock test, or whenever the proceeds of co-operative creameries and cheese factories are allotted on the basis of determination of milk fat by the Babcock test, the bottles and pipettes used in such test shall before use be examined by the Director of the New York Agricultural Experiment Station. If such bottles are found to be properly constructed and graded so as to accurately show the amount of fat contained in milk, each of them shall be legibly and indelibly marked "S. B." No bottles shall be marked except as herein provided, nor shall be used in any such test by such manufacturers unless so examined and marked. The acid used in making such test by such manufacturers shall be examined from time to time by competent chemists employed by the Commissioner of Agriculture, and if not found of sufficient strength the use of such acid shall be prohibited. The Commissioner of Agriculture and persons employed by him for that purpose may at any time assist in mailing tests of milk received at any butter or cheese factory for the purpose of determining the efficiency of tests usually made at such factory. All persons using other than standard bottles or acid which is not of required strength to accurately determine the amount of fats in milk shall be subject to the

penalties prescribed by section 37 of this chapter, and shall be guilty of a misdemeanor.

LAWS OF 1901.

CHAPTER 375.

Sec. 1. Amends Sec. 24, Chapter 338, Laws of 1893, to read as follows:

Sec. 24. No person or persons shall hereafter without the consent of the owner or owners, shipper or shippers, use, sell, dispose of, buy or traffic in any milk can or cans, cream can or cans belonging to any dealer or dealers, shipper or shippers of milk or cream residing in the State of New York or elsewhere, who may ship milk or cream to any city, town or place within this state having the name or initials of the owner or owners, dealer or dealers, shipper or shippers, stamped, marked or fastened on such can or cans, or wilfully mar, erase, or change by remarking or otherwise said name or initials of any such owner or owners, dealer or dealers, shipper or shippers, so stamped, marked or fastened upon said can or cans, nor shall any person or persons without the consent of such owner use such can or cans for any other purpose than for milk or cream, nor shall any person or persons without the consent of the owner place in any such can or cans any substance or substances, product or products other than milk or cream.

LAWS OF 1894.

CHAPTER 143.

CONDENSED MILK.

Sec. 1. Amends Sec. 25, Chapter 338, Laws of 1893, as amended by Chapter 564, Laws of 1893, to read as follows:

Sec. 25. No condensed milk shall be made, or offered or exposed for sale or exchange, unless manufactured from pure, clean, healthy, fresh, unadulterated and wholesome milk, from which the cream has not been removed, either wholly or in part, or unless the proportion of milk solids shall be in quantity the equivalent of 12 percentum of milk solids in pure milk, and of which solids 25 percentum shall be fat. Any person who shall manufacture, sell, offer for sale or exchange in hermetically sealed cans any condensed milk unless put up in packages upon which shall be distinctly branded or stamped the name of the person or corporation by whom made, and the brand by which, or under which, it is made. When condensed milk shall be sold from cans or packages not hermetically sealed the vendor shall brand or label such cans or packages with the name of the manufacturer of the milk contained therein.

LAWS OF 1897.

CHAPTER 768.

Sec. 1. Amends Sec. 26 of Chapter 338, Laws of 1893, so as to read as follows:

Sec. 26. No person, by himself, his agents or employees, shall produce or manufacture out

of, or from any animal fats, or animal or vegetable oils not produced from unadulterated milk, or cream from the same, the article known as "oleomargarine," or any article or product in imitation or semblance of natural butter produced from pure, unadulterated milk, or cream from the same, or mix, compound with, or add to, milk, cream or butter, any acids or other deleterious substance, or any animal fats, or animal or vegetable oils not produced from milk or cream, so as to produce any article or substance, or any human food in imitation or in semblance of natural butter, nor sell, keep for sale or offer for sale any article, substance or compound made, manufactured or produced in violation of the provisions of this section, whether such article, substance or compound shall be made or produced in this state or elsewhere. Any dealer in any article or product the manufacture or sale of which is prohibited by this act who shall keep, store or display such article or product with other merchandise or stock in his place of business, shall be deemed to have the same in his possession for sale.

LAWS OF 1900. CHAPTER 534.

Sec. 1. Amends Sec. 27 of Ch. 338, Laws of 1893, as amended by Ch. 149, Laws of 1899, so as to read as follows:

Sec. 27. No person shall manufacture, mix or compound with or add to natural milk, cream or butter, any animal fats, or animal or vegetable oils, nor make or manufacture any oleaginous substance not produced from milk or cream, with intent to sell the same as butter or cheese made from unadulterated milk or cream, or have the same in his possession with such intent. Nor shall any person solicit or take orders for the same or offer the same for sale, nor shall any such article or substance or compound so made or produced, be sold as and for butter or cheese the product of the dairy. No person shall coat, powder or color with annatto, or any coloring matter whatever, butterine or oleomargarine or any compound of the same, or any product or manufacture made in whole or in part from animal fats or vegetable oils not produced from unadulterated milk or cream, by means of which such product, manufacture or compound shall resemble butter or cheese, the product of the dairy, nor shall he have the same in his possession with intent to sell, nor shall he sell or offer to sell the same. No person, by himself or otherwise, shall manufacture, sell, offer or expose for sale, butter that is produced by taking original packing stock, or other butter, or both, and melting the same so that the butter fat can be drawn off, then mixing the same butter fat with skimmed milk, or milk or cream or other milk product,

and rechurn the said mixture, or that is produced by any similar process, and is commonly known as "boiled, or process butter," unless he shall plainly brand or mark the package or tub or wrapper in which the same is put up in a conspicuous place with the words "Renovated butter." If the same shall be put up, sold, offered or exposed for sale in prints or rolls, then the said rolls or prints shall be labeled plainly with printed letters in a conspicuous place on the wrapper with the words "Renovated butter." If the same is packed in tubs or boxes, or pails, or other kind of a case or package, the words "Renovated butter" shall be printed on the top and side of the same, in letters at least one inch in length, so as to be plainly seen by the purchaser. If such butter is exposed for sale uncovered, not in a package or case, a placard containing the label so printed, shall be attached to the mass of butter, in such manner as to be easily seen and read by the purchaser. No person shall sell, offer or expose for sale any butter or other dairy products containing a preservative, but this shall not be construed to prohibit the use of salt in butter or cheese, or spirituous liquors in club or other fancy cheese, or sugar in condensed milk. No person or persons, firm, association or corporation shall induce or attempt to induce any person or persons to violate any of the provisions of the agricultural law. Any person, firm, association or corporation, selling or offering or advertising for sale, any substance preparation of matter for use in violation of the provisions of the agricultural law, shall be guilty of a violation of this act.

Sec. 28. No keeper or proprietor of any bakery, hotel, boarding house, restaurant, saloon, lunch counter, or place of public entertainment, or any person having charge thereof, or employed thereat, who furnishes board for any others than members of his own family, or for any employes where such board is furnished for a compensation or as part of the compensation of any such employe shall keep, use or serve therein, either as food for his guests, boarders, patrons, customers, employes, or for cooking purposes, any article or substance made in violation of the provisions of this article.

Sec. 29. No person manufacturing with intent to sell any substance or article in imitation or semblance of butter or cheese not made exclusively from unadulterated milk or cream with salt or rennet or both, and with or without coloring matter or sage, but into which any animal fat intestinal or offal fats, or any oils or fats or oleaginous substances of any kind not produced from pure unadulterated milk or cream, or into which melted butter, or butter in any condition or state, or lard or tallow shall be introduced, shall add thereto, or combine

therewith any annatto or compounds of the same, or any other substance, or substances whatever for the purpose or with the effect of imparting thereto a yellow color, or any shade of yellow butter or cheese, or introduce any such coloring matter or other substance into any of the articles of which the same may be composed.

(Section 29 A added by the laws of 1899.)

Sec. 29 A. No person, or persons, shall manufacture, sell or expose for sale any poisonous coloring matter for the coloring of food products of any kind, nor shall any person or persons use any poisonous coloring matter manufactured, sold, offered, or exposed for sale within the state, nor sell, or offer, or expose for sale any food product containing such poisonous coloring matter. The State Board of Health shall cause samples of coloring matter that are exposed for sale upon the market for use in food products to be analyzed, and report the results of such analysis to the legislature at the next session.

IMITATION CHEESE.

Sec. 30. Prohibits the manufacture, dealing in, selling, offering or exposing for sale or exchange any article or substance in semblance or imitation of cheese made exclusively of unadulterated milk or cream, or both, into which any animal, intestinal, or natural fats or oils, or melted butter, or butter in any condition or state, or oleaginous substance of any kind not produced from unadulterated milk or cream shall be introduced.

WHEN PROHIBITION DOES NOT APPLY.

Sec. 31. Except in the counties of New York and Kings, the prohibitions contained in this article against the sale of adulterated milk shall not apply to skimmed milk which is clean, pure, healthy, wholesome and unadulterated, except by skimming, sold for use in the county in which it is produced, or in adjoining counties, if it is sold for and as skimmed milk. The prohibitions in this article against the sale of cheese made from unadulterated milk or cream shall not apply to pure skimmed cheese made from milk which is clean, pure, healthy, wholesome and unadulterated except by skimming.

CHAPTER 153.

LAWS OF 1898.

Sec. 1. Amends Sec. 32 of Chapter 338 of Laws of 1893, so as to read as follows:

Sec. 32. No person, firm, association or corporation buying or receiving milk not produced from the dairy of such person, firm, association or corporation, for the purpose of selling the same for consumption as such, or for manufacturing the same into butter, cheese, condensed milk or other human food, shall keep the same in utensils, cans, vessels, room or rooms, build-

ing or buildings, that are unclean or that have unsanitary surroundings and drainage, or in any condition whatsoever that would tend to produce or promote conditions favorable to unhealthiness or disease. The Commissioner of Agriculture shall notify all persons, firms, associations or corporations violating this section, to clean said utensils, cans, vessels, room or rooms, building or buildings, or to so improve the sanitary conditions that the law shall not be violated. And if such notice is complied with in ten days' time, Sundays excepted, then no action shall lie for a violation of this section. The provisions of this act shall not apply to cities of the first class.

LAWS OF 1898.

CHAPTER 559.

BRANDING CHEESE.

Sec. 1. Amends Sec. 33 of Ch. 338, Laws of 1893, so as to read as follows:

Sec. 33. Every manufacturer of full milk cheese, may put a brand upon each cheese indicating "Full milk cheese," and the date of the month and year when made, and no person shall use such a brand upon any cheese made from milk from which any of the cream has been taken. The commissioner of agriculture shall procure and issue to all cheese manufacturers of the state, on application therefor, and under such regulations as to the custody and use thereof as he shall prescribe a uniform stencil brand bearing a suitable device or motto and the words "New York State full cream cheese." Every such brand shall be used upon the outside of the cheese and shall bear a different number for each separate factory. The commissioner shall keep a book in which shall be registered the name, location and number of each manufacturer using the brand, and the name or names of the persons employed in the manufactory authorized to use the same. No such brand shall be used upon any other than full cream cheese or packages containing the same.

FALSE BRANDS.

No. 34. No person shall offer, sell or expose for sale in any package, butter or cheese falsely branded or labeled.

COUNTY TRADE MARKS.

Sec. 35. At a regular or special meeting of a County Dairyman's Association in any county, there may be adopted a county trade mark by a majority of the members present and voting, to be used as a trade mark by any person manufacturing pure, unadulterated butter, or full cream cheese in such county. The Secretary of the Association shall forthwith send to the Commissioner of Agriculture a copy of such trade mark, which shall be placed on file in his office. But one county trade mark for butter and cheese shall be placed on file in the same coun-

ty. No Association shall adopt any trade mark of any county already on file, or use that of any other county in the formation of a trade mark.

OBJECT OF THIS ARTICLE.

Sec. 36. This article, and each section thereof are declared to be enacted to prevent deception in the sale of dairy products, and to preserve the public health, which is endangered by the manufacture, sale and use of the articles or substances herein regulated or prohibited.

LAWS OF 1900.

CHAPTER 559.

Sec. 1. Amends Sec. 37 of Chapter 338, Laws of 1893 as amended by Chapter 435, Laws of 1899, and Chapter 76, Laws of 1900, to read as follows:

Sec. 37. Every person violating any of the provisions of articles 2 and 3, and sections 91 and 92 of the Agricultural Law, and Chapter 491 of the laws of 1898 shall forfeit to the people of the State of New York not less than \$25, nor more than \$100 for every such violation. A person who brings or causes to be brought to a butter or cheese factory, owned or operated by a co-operative association, milk diluted with water, or any unclean, impure, unwholesome, unhealthy or adulterated milk, or milk from which any cream has been taken, except pure skimmed milk to skimmed cheese factories shall forfeit to the people of the state for the first offense the sum of \$50, and for each subsequent offense the sum of \$150. Upon recovery of the penalty so prescribed, one-half thereof shall be paid into the state treasury, one-fourth to the county treasury, and the remaining one-fourth to the treasurer of the co-operative association owning or operating such cheese factory to be divided among the members thereof as the other receipts of such association.

When such violation consists of the manufacture or production of any prohibited article, each day during which, or any part of which, such manufacture or production is continued shall be deemed a separate violation of the provisions of this article. When the violation consists of the sale, offering, or exposing for sale, or exchange of any prohibited article, the sale of each one of several packages shall constitute a separate violation, and for each day on which any such article or substance is offered or exposed for sale or exchange shall constitute a separate violation of this article. When the use of any such article or substance is prohibited each day during which, or any part of which, said article or substance is so used or furnished for use shall constitute a separate violation, and the furnishing of the same for use to each person to whom the same may be furnished shall constitute a separate violation. Whoever by himself or another violates any of the provisions of articles 2 and 3 of sections 91 and 92

of the Agricultural law shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than \$25 and not more than \$200, or be imprisoned not less than one month and not more than six months, or both fine and imprisonment for the first offense, and by six months imprisonment for the second offense.

ARTICLE III.

ADULTERATED VINEGAR.

Sec. 50. All vinegar which contains any proportion of lead, copper, sulphuric acid, or any other ingredients injurious to health, or any artificial coloring matter, or which has not an acidity equivalent to the presence of at least 4 and $\frac{1}{2}$ percentum by weight of absolute acetic acid, or cider vinegar which has less than such an amount of acidity, or less than 2 percentum of cider vinegar solids on full evaporation over boiling water, shall be deemed adulterated. The term "cider vinegar," when used in this article, means vinegar made exclusively from apple juice.

Sec. 51. Prohibits the manufacturing for sale or keeping or offering for sale:

1. Any adulterated vinegar.
2. Any vinegar or product in imitation or semblance of cider vinegar which is not cider vinegar.
3. As or for cider vinegar, any vinegar, or product which is not cider vinegar.

Sec. 52. Every manufacturer or producer of cider vinegar shall plainly brand on the head of each cask, barrel, keg, or other package containing said vinegar, his name and place of business and the letters "cider vinegar." No person shall mark or brand as or for cider vinegar any package containing that which is not cider vinegar.

Sec. 53. A violation of this article is punishable by a fine of \$100 for each violation.

LAWS OF 1898.

CHAPTER 491.

UNWHOLESOME MEAT.

Sec. 1. Amends Chapter 338, Laws of 1893, by adding the following sections, to be known as Sections 71, 72 and 73, which are in substance as follows:

Sec. 71. No person shall slaughter for the purpose of sale as food, or expose for sale or sell within this state, or bring or cause to be brought into any city, town or village within the state for food, any calf or carcass of the same or part thereof, except the hide, unless it is in good healthy condition, and was at least four weeks of age at the time of killing.

Any person authorized by the commissioner of agriculture may examine any calf or veal offered or exposed for sale or kept with intent to sell as food, and if such calf is under four weeks of age or the veal is from a calf killed

under four weeks of age, or from a calf in an unhealthy condition when so killed, he may seize the same and cause it to be destroyed in such a manner as to make it impossible to be thereafter used as food.

Sec. 72. It shall be unlawful for any corporation, partnership, person or persons to ship to or from any part of this state, any carcass or carcasses of a calf or calves, or any part of such carcass except the hide, unless they shall attach to every carcass or part thereof so shipped, in a conspicuous place, a tag that shall stay thereon during such transportation, stating the name of the person who raised the calf, the name of the shipper, point of shipping, and the destination and age of the calf.

Sec. 73. No railroad company, express company, steamboat company, or other common carrier, shall carry or receive for transportation any carcass or carcasses of calves or any part of same except the hide, unless said carcass or carcasses or part thereof shall be tagged as herein provided.

LAWS OF 1898.

CHAPTER 194.

MAPLE SUGAR, ETC.

Sec. 1. Amends Section 91 of Chapter 338, Laws of 1893, so as to read in substance as follows:

Sec. 91. (1) No person shall manufacture for sale, keep, offer or expose for sale any sugar in imitation or semblance of maple sugar, which is not pure maple sugar, nor any syrup in imitation or semblance of maple syrup, which is not pure maple syrup, nor shall any person manufacture, offer or expose for sale any sugar as and for maple sugar, which is not pure maple sugar, nor any syrup as and for maple syrup which is not pure maple syrup.

(2) For the purposes of this act the term "Maple Sugar" shall be deemed to mean sugar made from pure maple sap, or pure maple syrup, and the term "Maple Syrup" shall be deemed to mean syrup made from pure maple sap.

Sec. 2. The following section is hereby added to Chapter 338, Laws of 1893, and shall be known as Section 92:

Sec. 92. No person shall manufacture, sell, or expose for sale, any compound or mixture as and for maple sugar, which shall be made up of maple sugar mixed with any other sugar, or any other substance without branding or labeling the said sugar with a statement giving the ingredients of which it is made up. No person shall manufacture, sell, or expose for sale, or offer for sale any compound or mixture as syrup which shall be made up of maple syrup mixed with any other syrup or ingredient without branding or labeling said syrup with a statement giving the ingredients of which it is made up. This shall not be constructed to apply to

a syrup or syrups manufactured and sold for medicinal purposes only.

LAWS OF 1895.

CHAPTER 70.

RELATING TO THE SALE OF OLEOMARGARINE.

Sec. 1. The Commissioner of Agriculture, subject to the approval in writing of the Governor and Attorney General, is hereby authorized and empowered to settle, compromise and discharge all actions and causes of action or claims arising under the Agricultural Law, since its passage to the passage of this act, for any violation of sections 26, 27, 28 and 29 of the Agricultural Law, relating to the sale or use of oleomargarine so-called.

Sec. 2. All moneys received pursuant to any such settlement shall be paid by said Commissioner into the treasury of the state and any settlement so made shall be reported in his next annual report.

LAWS OF 1900.

CHAPTER 543.

Sec. 1. Amends the first paragraph of Sec. 29 of Chapter 376 Laws of 1896 to read as follows: No person shall without the consent of the owner or shipper or his agent use, sell, expose or buy, or traffic in any can, irrespective of its condition or the use to which it may have been applied, belonging to any dealer in, or shipper of milk or cream in this state, or which may be shipped to any village, town or city in the state which can has the name or initials of such owner, dealer or shipper stamped, marked or fastened thereon, or wilfully mar, erase or change by remarking or otherwise such name or initials.

LAWS OF 1901.

CHAPTER 656.

Sec. 1. Amends Section 37 of the Agricultural Law, entitled "An act in relation to agriculture, constituting articles 1, 2, 3, 4 and 5 of Chapter 33 of the General Laws," as follows.

Sec. 37. Every person violating any of the provisions of the agricultural law shall forfeit to the people of the State of New York the sum of not less than \$50 nor more than \$100 for the first violation, and not less than \$100 or more than \$200 for the second and each subsequent violation. When such violation consists of the manufacture or production of any prohibited article each day during which or any part of which such manufacture or production is carried on or continued, shall be deemed a separate violation of the provisions of this article. When the violation consists of the sale or the offering or exposing for sale or exchange of any prohibited article or substance, the sale of each one of several packages shall constitute a separate violation, and each day on which any such article or substance is exposed for sale or exchange shall constitute a separate viola-

tion, and the furnishing of the same for use of any person to whom the same may be furnished shall constitute a separate violation of the provisions of articles 2, 3, 8, 11 and 12 of Sections 91 and 92 of the Agricultural Law, or of Chapter 491, Laws of 1898, shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than \$50 nor more than \$200, or by imprisonment of not less than one month nor more than six months, or both, for the first offense, and by six months imprisonment for the second offense.

THE PUBLIC HEALTH LAW.

THE ENFORCEMENT OF THE FOLLOWING LAWS COME WITHIN THE PURVIEW OF THE DUTIES TO BE PERFORMED BY THE STATE BOARD OF HEALTH.

ARTICLE III.

DEFINITION.

Sec. 40. The term "food" as used herein shall include every article of food and every beverage used by man, and all confectionery. The term "drug" when so used shall include all medicines for external and internal use.

Sec. 41. No person shall within the state manufacture, produce, compound, brew, distill, have, sell or offer for sale, any adulterated food or drug. An article shall be deemed to be adulterated within the meaning of this act:

A. In the case of drugs:

1. If when sold under or by a name recognized in the United States Pharmacopœia, it differs from the standard of strength, quality or purity laid down therein.

2. If when sold under or by name not recognized in the United States Pharmacopœia, but which is found in some other Pharmacopœia or other standard work of *Materia Medica*, it differs materially from the standard of strength, quality or purity laid down in such work.

3. If its strength or purity fall below the professed standard under which it is sold.

B. In the case of food:

1. If any substance or substances has or have been mixed with it so as to reduce or lower or injuriously affect its quality or strength.

2. If any inferior or cheaper substance, or substances, have been substituted in part or in whole for the article.

3. If any valuable constituent of the article has been wholly or in part abstracted.

4. If it be an imitation of or sold under the name of another article.

5. If it consists wholly or in part of a diseased, putrid or rotten animal or vegetable substance, whether manufactured or not, or in the case of milk if it is the produce of a diseased animal.

6. If it be colored, coated, polished or powdered whereby damage is concealed, or whereby

it is made to appear better than it really is, or of greater value.

7. If it contain any added poisonous ingredient or any ingredient which may render such article injurious to the health of the person consuming it. Provided that an article of food which does not contain any ingredient injurious to health shall not be deemed to be adulterated. In the case of mixtures or compounds which may be now or from time to time thereafter known as articles of food under their own distinctive names, or which shall be labeled so as to plainly indicate that they are mixtures, combinations, compounds or blends, and not included in definition fourth of this section.

C. In the case of spirituous, fermented and malt liquors, if it contain any substance or ingredient not normal or healthy to exist in spirituous, fermented or malt liquors, or which may be deleterious or detrimental to health, when such liquors are used as a beverage. In the case of ale or beer if it contains any substitute for hops, or pure extract of hops, or if any such substitute is used in the manufacture thereof.

D. In the case of confectionery, if it contains terra alba, barytes, talc or other mineral substance, or poisonous colors or flavors or other ingredients deleterious or detrimental to health. If the standard of any article of any food or any drug is not established in a national pharmacopœia. The State Board of Health shall from time to time fix the limit for variability permissible therein. The State Board of Health may from time to time with the approval of the Governor declare what articles or preparations shall be exempt from the provisions of this article and publish a list of said articles which shall thereafter be so exempt. Every person violating any of the provisions of this section shall forfeit to the people of the state the sum of \$100 for every such violation.

DUTIES OF THE STATE BOARD OF HEALTH.

Sec. 42. The State Board of Health shall take cognizance of the public health as affected by the sale and use of food and drugs, and the adulterations thereof, and make the necessary inquiries and investigations relating thereto. They shall appoint such public analysts, chemists and inspectors as may be necessary for that purpose. It shall from time to time adopt such measures and make such regulations and declarations in addition to the provisions of this article as may seem necessary to facilitate the enforcement of this article, or for the purpose of making an examination or analysis of any food or drug sold or exposed for sale in the state and such regulations and declarations made in any year shall be filed in the office of the secretary of state, and published in the session laws, and

published after the expiration of thirty days from such filing.

SPIRITUOUS, FERMENTED OR MALT LIQUORS.

Sec. 43. The State Board of Health shall at least once in each calendar year cause samples to be procured in the public market or otherwise of all spirituous, fermented or malt liquors, distilled, brewed, manufactured, sold or offered for sale in each brewery and distillery located in this state. Such samples shall be kept in vessels in a condition to obtain a proper test and analysis thereof.

Such vessels shall be properly labeled and numbered by the secretary of such Board, who shall prepare and keep an accurate list of the numbers of the distillers, brewers and vendors of the liquors from which the samples are taken, and opposite each name shall appear the number which is printed or written on the label attached to the vessel containing the sample. Such lists, numbers and labels shall be exclusively for the information of such Board and shall not be exposed or published unless upon discovery of some deleterious substance therein prior to the completion of the analysis, or required for evidence in court. When received and numbered, every such sample shall be delivered to an analyst, chemist or officer of the Board, and be designated and known to him only by its number and by no other mark or designation. A test or analysis of such sample shall be made by such analyst, chemist or officer which shall determine the ingredients or component parts thereof. The result of such analysis or test shall immediately be reported by the person making same to the secretary of such Board, setting forth explicitly the nature of any deleterious substance, compound or adulteration found therein which may be detrimental to public health, and the number of samples in which it is found. Any brewer, distiller or vendor in whose samples any such substance, compound or adulteration is found upon any such test or analysis, shall be deemed to have violated the provisions of this article, prohibiting the manufacture, selling, having or offering for sale adulterated food.

Sec. 44. Every person selling, offering, or exposing for sale or manufacturing or producing any article of food, or any drug, shall upon the value thereof being tendered, furnish any analyst, chemist, officer or agent of the State Board of Health, or of any local Board of Health with a sample of any such article or drug, sufficient for the purpose of analysis or test. For every refusal to furnish the same, the person so refusing shall forfeit to the people of the state the sum of \$100.

MILK.

Sec. 45. When a health officer or other of-

ficer shall seize, or destroy, or cause to be seized or destroyed any milk, he shall take a sample thereof in the presence of at least one witness, and shall in such presence seal such sample and tender it to the vendor or person having such milk, and if accepted shall deliver therewith a statement of the date and cause of such seizure or destruction. Any health officer violating the provisions of this section shall be liable to a penalty of \$50 to be recovered by the person aggrieved.

WINE.

Sec. 46. All wines containing alcohol, except such as have been produced by natural fermentation of pure, undried fruit juices or combined with distilled spirits, whether denominated wines, or by any other name, which may be used as a beverage, or combined with other liquors intended for use, and all compounds of the same with pure wine, and all preserved fruit juices compounded with substances not produced from undried fruit intended for use as a beverage, or for use in the fermentation or preparation of liquors intended for such use, and all wines, imitations of wines, or other beverages produced from fruit which shall contain alum, baryta, salts, caustic lime, carbonate of soda, carbonic acid, salts of lead, glycerine, salie acid, or any other antiseptic coloring matter not produced from undried fruit, artificial flavoring, essence of ether, or any other foreign substance injurious to health, shall be known as, or deemed to be, adulterated wine and shall not be sold, offered for sale or manufactured with intent to sell within the state. All such wine, and every such beverage shall be deemed a public nuisance and forfeited to the state and be summarily seized and destroyed by any health officer within whose jurisdiction it shall be found, and the reasonable expense of such seizure shall be a county charge.

Sec. 47. For the purpose of this article, pure wine shall be deemed to mean the fermented juice of undried grapes, or other undried fruits, but the addition of pure sugar to perfect wine, or pure distilled wines to preserve it, not to exceed 8 per cent of its volume, or the use of things necessary to clarify or refine the wine, not injurious to health shall not be construed as adulteration, if such wine contain at least 75 per cent of pure grape or other undried fruit juice.

Sec. 48. For the purpose of this act, any wine that contains less than 75 per cent and more than 50 per cent of pure grape, or other undried fruit juice, and is otherwise pure shall be known as half wine, and upon each and every package of such wine manufactured with intent to sell, sold or offered for sale within this state, if containing more than three gallons, there shall be stamped on both ends of the pack-

age containing the same in black printed letters at least one inch in height, the proper proportion in width, the words "Half wine," and if containing more than one quart, and not more than three gallons, there shall be stamped on each package in plain printed black letters at least one-half inch high, and of the proper proportion as to width, the words "Half wine"; and if in a package or bottle of one quart or less, there shall be placed a label, securely pasted thereon, having the words "Half wine" plainly printed in black letters, at least one-quarter of an inch high, and of proper proportions as to width. If any number of small packages is enclosed in a larger package, as a box, barrel, case, or cask, such outside package shall have thereon the stamp of "Half wine," in letters of a size, according to the size of such outer package. Every person who shall sell, offer for sale, or manufacture with intent to sell any wine containing less than 50 percentum of pure grape or other undried fruit juice, and otherwise pure, shall cause all the packages containing the same to be stamped, marked and labeled with the words "Made wine," in the same manner as "Half wine," so required in this section to be stamped, marked and labeled, and all such wine shall be known and sold as "Made wine."

PENALTIES.

Sec. 49. Every person who manufactures

with intent to sell, sells, or offers for sale within the state any wine of a kind or character, the manufacturing or offering for sale, or sale of which is prohibited by this article or which is not stamped, marked or labeled as required herein shall forfeit to the county, wherein such manufacture, sale or offering for sale takes place the sum of one-half dollar for each gallon thereof so sold or manufactured with intent to sell. The provisions of the three preceding sections of this article shall not apply to medicated wines which are put up and sold for medicinal purposes only.

Sec. 50. Upon discovering any violation of the provisions of the Penal Code relating to the adulteration of foods and drugs, the said Board of Health shall immediately communicate the facts to the district attorney of the county where the violation occurred, who shall thereupon commence proceedings for the indictment and trial of the person so charged. Nothing in this act shall be construed to in any way repeal or affect any of the provisions of chapter 183 of the Laws of 1885, or the acts amendatory thereof, or supplemental thereto, or of chapter 515 of the Laws of 1899, nor to prohibit the coloring of butter made from milk, the product of the dairy, or the cream from the same with coloring matter which is not injurious to health.

PURE FOOD LAWS OF NORTH CAROLINA.

In the state of North Carolina the Board of Agriculture is charged with the enforcement of the pure food laws. The board consists of twenty-three members, together with the officers elected for the purpose of administering the laws of the state pertaining to the subject of pure and unadulterated food. The Board of Agriculture consists of the following members:

S. L. Patterson, commissioner, *ex-officio*, chairman.

First District—J. B. Coffield.

Second District—E. L. Daughtridge.

Third District—Wm. Dunn.

Fourth District—C. N. Allen.

Fifth District—J. S. Cunningham.

Sixth District—A. T. McCallum.

Seventh District—J. P. McRae.

Eighth District—L. G. Waugh.

Ninth District—W. A. Graham.

Tenth District—A. Cannon.

Howard Browning, J. R. Joyce, G. E. Flow, J. C. Ray.

Finance Committee—S. L. Patterson chair-

man, J. B. Coffield, A. T. McCallum, J. P. McRae, Wm. Dunn.

Executive Committee—S. L. Patterson chairman, J. S. Cunningham, W. A. Graham, E. L. Daughtridge, L. G. Waugh.

OFFICERS.

S. L. Patterson, commissioner; T. K. Bruner, secretary; B. W. Kilgore, state chemist; Dr. Tait Butler, veterinarian; Franklin Sherman, Jr., etomologist; Gerald McCarthy, botanist and biologist; H. H. Brimley, naturalist and curator.

THE PURE FOOD LAWS ARE IN SUBSTANCE AS FOLLOWS:

An act to prevent the sale of adulterated and unbranded food and to amend and make more effective the provisions of Chapter 122, Laws of 1895.

Sec. 1. For the purpose of protecting the people of the state from imposition by the adulteration or misbranding of articles of food the Board of Agriculture shall cause to be procured from time to time under rules and regulations

to be prescribed by them in accordance with section 9 of this act, samples of food, beverages, and condiments offered for sale in this state, and shall cause same to be analyzed and examined microscopically or otherwise by the chemist or other experts of the Department of Agriculture. The Board of Agriculture is authorized to make such publications of the results of analyses, examinations, etc., as they may deem proper.

Sec. 2. Prohibits the sale of any article of food which is adulterated or misbranded within the meaning of this act. It is a misdemeanor to violate this act, punishable by a fine not to exceed \$200 for the first offense, and for each subsequent offense not to exceed \$300, or by imprisonment not to exceed one year, or both; fines to be paid into the treasury of the state for the benefit of the Department of Agriculture, to be used in executing the provisions of this act.

Sec. 3. The chemists and other experts of the Department of Agriculture shall make, under rules and regulations prescribed by the Board of Agriculture, examinations of specimens of food, beverages, and condiments offered for sale in North Carolina, collected from time to time in various parts of the state. If this act has been violated the Commissioner of Agriculture shall certify the facts to the proper solicitor and furnish him with a result of the analysis duly authenticated by the analyst under oath.

Sec. 4. It is the duty of every solicitor to whom the Commissioner of Agriculture shall report any violation hereof to cause proceedings to be commenced and prosecuted without delay for the fines and penalties in such cases provided.

Sec. 5. The term "food" as used herein shall include articles of food, candy, condiment, or drink, used by man and domestic animals, whether simple, mixed, or compound. The term "misbranded" as used herein shall include articles of food or those which enter into the composition thereof, the packages or labels of which shall bear any stamp purporting to name any ingredient or substance as being contained or not being contained in such article, which statement shall be false in any particular.

Sec. 6. That for the purpose of this act an article of food shall be deemed adulterated:

First—If any substance has been mixed or packed with it so as to reduce or injuriously affect its quality or strength, so that such article when offered for sale shall deceive or tend to deceive the purchaser.

Second—If any inferior substance has been substituted wholly or in part for the article so as to deceive the purchaser.

Third—If any valuable constituent of an article has been wholly or in part abstracted so

that the product when sold shall deceive the purchaser.

Fourth—If it be an imitation of and sold under the specific name of another article.

Fifth—If it be mixed, colored, powdered, coated, polished, or stamped in a manner whereby damage or inferiority is concealed so as to deceive the purchaser.

Sixth—If it contain any added poisonous ingredient or any ingredient which may render it injurious to the health of the person consuming it.

Seventh—If it be labeled or branded so as to deceive or mislead the purchaser, or purport to be a foreign product when branded so, or is an imitation either in package or label of an established proprietary product which has been trademarked or stamped.

Eighth—If it consists of the whole or any part of a diseased, filthy, decomposed, or putrid animal or vegetable substance, or any portion of an animal unfit for food, whether manufactured or not; or if it is the product of a diseased animal or any animal that has died otherwise than by slaughter.

Ninth—That candies and chocolates may be deemed to be adulterated if they contain terra alba, barytes, talc, chrome yellow, or other mineral substances or poisonous colors or flavors or other ingredients deleterious to health; *Provided*, That an article of food, beverage, or condiment which does not contain any added or poisonous ingredient shall not be deemed to be adulterated in the following cases:

First—In the case of articles, mixtures, or compounds which may be now or from time to time hereafter known as articles of food, beverages, or condiments under their own distinctive names and not included in definition fourth of this section.

Second—In the case of articles branded, labeled, or tagged so as to plainly indicate that they are mixtures, compounds, combinations, imitations, or blends.

Third—When any matter or ingredient has been added to the food, beverage, or condiment because the same is required for the production or preparation thereof as an article of commerce in a state fit for consumption or carriage, and not fraudulently to increase the bulk, weight, or measure of the food, beverage, or condiment, or conceal the inferior quality thereof; *Provided*, That the same shall be labeled, branded, or tagged as prescribed by the Board of Agriculture, so as to show them to be compounds and the exact nature thereof; and *provided further*, That nothing in this act shall be construed as requiring or compelling proprietors or manufacturers of proprietary foods to disclose their trade formulas except insofar as the provisions of this act may require to secure free-



S. L. PATTERSON,
North Carolina Commissioner of Agriculture.



T. K. BRUNER,
Secretary North Carolina Board of Agriculture.



B. W. KILGORE,
North Carolina State Chemist

NORTH CAROLINA PURE FOOD COMMISSION.

dom from adulterations or imitations; *Provided further*, That nothing in this act shall be construed to apply to proprietary or patent medicines.

Fourth—Where the food, beverage, or condiment is unavoidably mixed with some harmless extraneous matter, in the process of collection or preparation; *Provided further*, That no person shall be convicted under the provisions of this act when he is able to prove a written guaranty of purity in a form provided by the Board of Agriculture as published in their rules and regulations, signed by the wholesale jobber, manufacturer, or other party from whom he purchased such article.

Sec. 7. That the Board of Agriculture is hereby authorized to cause all compounds, mixed or blended products to be properly branded and prescribe how this shall be done.

Sec. 8. That it shall be the duty of the Board of Agriculture to prepare and publish from time to time lists of the articles, mixtures, or compounds declared to be exempt from the provisions of this act, in accordance with Section 6. The Board of Agriculture shall also from time to time fix and publish the lists variability permissible in any article of food, beverage, or condiment, and these standards when so published shall remain the standards before all courts; *Provided*, That when standards have been or may be fixed by the Board of Agriculture of the United States they shall be accepted by the Board of Agriculture and published as the standards of North Carolina.

Sec. 9. That every person who exposes for sale or delivers to a purchaser any condiment, beverage, or articles of food shall furnish within business hours and upon tender and full payment of the selling price a sample of such condiments, beverages, or articles of food to any person duly authorized by the Board of Agriculture to secure the same and who shall apply to such manufacturer or vendor or person delivering to a purchaser such beverage or article of food, for such sample for such use, in sufficient quantity for the analysis of such article or articles in his possession.

Sec. 10. That any manufacturer or dealer who refuses to comply upon demand with the requirements of Section 9 of this act, or any manufacturer, dealer, or person who shall impede, obstruct, hinder, or otherwise prevent or attempt to prevent any chemist, inspector, or other person in the performance of his duty in

connection with this act shall be guilty of a misdemeanor and shall upon conviction be fined not less than \$10 nor more than \$100, or be imprisoned not more than 100 days, or both, in the discretion of the court, and said fines, less the legal costs, shall be paid into the treasury of the state for the benefit of the Department of Agriculture, to be used exclusively in executing the provisions of this act.

Sec. 11. That this act shall not be construed to interfere with commerce or any interstate commerce laws of the United States.

Sec. 12. That Chapter 122, Public Laws of 1895, be and the same is hereby repealed.

AN ACT DEFINING BUTTER AND TO REGULATE THE SALE THEREOF.

Sec. 1. The word "butter" is understood to mean the product manufactured or compounded from fresh and pure milk and cream.

Sec. 2. Any article manufactured or compounded in imitation or semblance of butter, composed of any ingredient in combination with butter, shall be known as "oleomargarine" and butterine"; and it is unlawful to sell, export, or import the same except in accordance with the provisions hereof.

Sec. 3. Every manufacturer of "oleomargarine" or "butterine" shall securely affix by pasting on each package, tub, or firkin thereof so manufactured by him, a label on which shall be printed in large Roman type the chemicals, ingredients, and the proportions thereof. Every manufacturer who neglects to affix such label as herein required, or any person who removes same from any such package, tub, or firkin, is guilty of a misdemeanor, punishable as hereinafter provided.

Section 4. This act shall not prohibit the manufacture or sale of said compound nor violate in any degree the provisions of the interstate commerce law relative to this subject. The said compound, however, shall not be manufactured or sold except in accordance with the provisions hereon.

Sec. 5. It is the duty of the district, county, or city attorney upon proper information that this act has been violated to prosecute the offenders, and upon conviction he shall be punished by a fine of not less than \$50, or imprisoned in the county jail not exceeding thirty days for the first offense, and for each subsequent offense a fine not less than \$200, or by imprisonment not less than six months, or both, at the discretion of the court.



ROLLIN J. TURNER,
Commissioner of Agriculture and Labor, Ex-Officio
Dairy Commissioner, North Dakota



E. E. KAUFMAN,
Assistant Dairy Commissioner, North Dakota.

NORTH DAKOTA DAIRY COMMISSION.

NORTH DAKOTA DAIRY LAWS.

The Pure Food Laws of this state apply only to the products of the dairy. The laws are enforced by an assistant dairy and food commissioner, who receives his appointment from the Commissioner of Agriculture, with the consent of the governor. His duties are to enforce such laws as this state has enacted on the foregoing subject.

The Department of Agriculture and Labor consists of the following members:

R. J. Turner, Commissioner.

E. E. Kaufman, Assistant Dairy Commissioner.

A DIGEST OF THE LAWS PROHIBITING THE ADULTERATION OF DAIRY PRODUCTS IS AS FOLLOWS:

Sec. 1. The Commissioner of Agriculture shall appoint one deputy, to be known as Assistant Dairy and Food Commissioner, who shall hold his office during the term of the Commissioner of Agriculture. His salary shall be \$600 per annum and actual expenses in the discharge of his duties. The sum of \$1,000 is appropriated annually to enforce the provisions of this act.

Sec. 3. The Assistant Commissioner and persons lawfully authorized for the purpose shall have access, ingress and egress to all places of business, farms, carriages, cars, vessels and cans used in the manufacture or sale of any dairy product or imitation thereof. They shall also have the power and authority to open any package, can or vessel containing manufactured articles sold or exposed for sale in violation of this act, and may take samples for analysis. All clerks, bookkeepers, express agents and railroad officials are required to assist them in finding or discovering the presence of any prohibited article.

Sec. 4. For refusing so to do such person shall be guilty of a misdemeanor and fined not less than \$20 nor more than \$50 for each offense.

Sec. 5. The Assistant Commissioner shall furnish blanks to all proprietors and managers of creameries, cheese factories and vendors of milk licensed under the provisions of this act, for the purpose of making a report of the amount of dairy goods handled, and such persons shall on the first day of November of each year send to the Assistant Dairy and Food Commissioner a full and accurate report of the amount of business done during the year.

Sec. 6. Any neglect or failure or false statement in the report of any owner or manager of such creameries, cheese factories, or vendors of milk shall be held to be a misdemeanor punishable by a fine of not less than \$10 nor more than \$50.

Sec. 7. Every creamery, cheese factory, or combined creamery and cheese factory manufacturing butter or cheese shall procure a stencil or brand bearing a suitable device and words which shall clearly designate the quality of the product manufactured, and the number and location of the factory, and may contain a special or private brand with the name of said factory. Every brand shall be used upon the outside of the cheese, and also upon the package containing the same, but in the case of butter on the package only; and every such owner shall on the first day of each year report to the Assistant Dairy and Food Commissioner the name, location and number of any factory using said brand, and the name or names of the persons of each factory authorized to use the same, together with a copy of each stencil or brand, and the said Assistant Commissioner shall keep a book in which shall be registered the same. It is a misdemeanor to violate this section, punishable by a fine of not less than \$10 nor more than \$50 for each offense.

Sec. 8. Every person who sells milk from a dairy of five cows or more and conveys the same in carriages, carts or other vehicles for the purpose of sale in any city or town of 1,000 inhabitants or more shall on the first day of June, or within 30 days thereafter, be licensed by the Assistant Dairy and Food Commissioner to sell milk within the limits of said city or town, and shall pay to said Assistant Commissioner the sum of \$1, and every person desiring to engage in such dairy business shall first procure a license which shall be valid until the first day of June next succeeding the issue. Licenses shall be used only by the owners of carriages, carts or other vehicles, and shall be conclusive evidence of ownership. No license shall be sold, assigned or transferred.

Each license shall record the name, place of business and number of carriages, carts or other vehicles used, the name and residence of every driver or other person engaged in selling said milk, and the number of the license. Each licensee shall before engaging in the sale of milk cause his name and the number of his license and place of business to be legibly placed on the outer side of all carriages, carts and other vehicles used by him in the conveyance and sale of milk, and he shall report to the said assistant dairy commissioner any change of driver or person employed by him. Whoever sells milk as aforesaid without license or violates the provisions of this act shall be punished by a fine of not less than \$10 nor more than \$50 for each offense.

Sec. 9. Every person before selling milk shall procure a license from the Assistant Dairy

and Food Commissioner and pay him therefor the sum of \$100. It is a misdemeanor to neglect to procure a license, punishable by a fine not exceeding \$20 for each and every offense.

Sec. 10. If any person shall sell or exchange to be converted into any product of human food any unclean, adulterated, impure or unwholesome milk, or milk from which has been withheld the strippings, or milk taken from an animal having a disease, or which has been taken from an animal within fifteen days before or five days after parturition; or if any person having cows shall stable them in any unhealthy, cramped, crowded manner, or knowingly feed them food which produces impure or unwholesome milk, or upon any substance in a state of putrefaction, or other unhealthy matter, or sell cream which has been taken from milk as herein prohibited, or shall sell cream which shall contain less than the amount of butter fat as prescribed in this act, or if any person shall sell any cheese from skimmed milk or from milk partly skimmed without plainly branding on the top and sides of both cheese and package in the English language the words "Skimmed Milk Cheese," the letters of the words to be not less than one inch in height and one-half inch in width, he shall be fined not less than \$20 nor more than \$50; but the provisions of this section shall not apply to skimmed milk when sold as such and in the manner prescribed herein.

Sec. 11. The addition of water or other substances or things to whole milk or skimmed milk or partly skimmed milk is hereby declared an adulteration; and milk taken from cows fed upon any substance of an unhealthy nature is declared to be impure and unwholesome; and milk which has been proved by any reliable method of analysis to contain less than 12 per cent of milk solids to the 100 pounds of milk or three pounds of butter fat to the 100 pounds of milk, shall be regarded as skimmed or partially skimmed milk; and every article not containing 15 per cent or more of butter fat shall not be regarded as cream. The Assistant Food and Dairy Commissioner shall enforce the provisions hereof.

OLEOMARGARINE.

Sec. 12. Prohibits the manufacture or sale or delivery or possession or distribution of any article, product or compound made wholly or partly out of any fat, oil or oleaginous substance or compound thereof not produced from unadulterated milk or cream from the same, which shall be an imitation of yellow butter produced from unadulterated milk or cream. Provided, this act shall not prohibit the manufacture or sale of oleomargarine in a separate and distinct form, and so as to advise the consumer of its real character and free from colorations or ingredients that cause it to look like butter. For a violation of this section any

person shall be fined \$25 nor more than \$100 for each offense.

Sec. 13. Whoever exposes for sale oleomargarine, butterine or imitation of pure butter, in tubs, firkins or original packages not printed, branded, stamped or marked in a conspicuous place with the words "Oleomargarine" or "Butterine" or "Imitation Butter," in letters not less than one inch in length and one-half inch wide, or in retail packages not conspicuously labeled, as the case may be, as aforesaid, shall be guilty of a misdemeanor and punished by a fine of not less than \$25 nor more than \$100 for each offense.

RENOVATED BUTTER.

Sec. 14. Whoever shall manufacture butter that is produced by taking originally packing, packed, or other butter, or both, and melting the same so that the butter fat can be drawn off, then mixing the said butter fat with skimmed milk, or milk and cream, or other milk product and reurning the said mixture; or that is produced by any melting process and is commonly known as boiled or process butter; unless the tub or firkin or package in which the same is put up be legibly and distinctly stamped or marked with the words "Renovated Butter" in letters not less than one inch in length and one-half inch in width on prints, boxes or rolls, or not conspicuously labeled on the wrapper thereof with the words "Renovated Butter" in printed letters not less than one-half inch in width, shall be guilty of a misdemeanor and punished by a fine of not less than \$25 nor more than \$100 for each offense.

Sec. 15. Whoever furnished or causes to be furnished in any hotel, restaurant, boarding house, or any lunch counter, oleomargarine or butterine to any guest or patron of such place instead of butter, shall notify said guest that the substance so furnished is not butter. For a neglect to so notify said person in the case aforesaid it is a misdemeanor punishable by a fine of not less than \$5 nor more than \$10 for each offense.

CHEESE.

Sec. 16. Any person who shall manufacture out of any oleaginous substance or compound thereof, other than that produced from unadulterated milk, any article designed to take the place of cheese produced from pure milk; or any article termed "Full Cheese," shall stamp each package on the top and sides with lamp black and oil with the words "Full Cheese," or words that shall designate the exact character and quality of the product, in printed letters not less than one inch long and one-half inch wide. It is a misdemeanor to violate this section, punishable by a fine of not less than \$25 nor more than \$100 for each offense.

Sec. 18. Repeals acts in conflict herewith.

FAC-SIMILE OF LABEL

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Every Merchant

DESIROUS OF GIVING
HIS CUSTOMERS THE
BEST---MUST BE IN-
TERESTED IN THE

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BRAND OF PURE
FOOD PRODUCTS

THE
McCART-CHRISTY
COMPANY

CLEVELAND, OHIO.



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FAC-SIMILE OF LABEL



HON. JOS. E. BLACKBURN, Ph. G.,
Ohio State Dairy and Food Commissioner.



WILLIAM MARTIN,
Assistant Ohio Dairy and Food Commissioner,
Northern District.



JOHN J. KINNEY,
Assistant Ohio Dairy and Food Commissioner,
Southern District.



MARTIN COWEN,
Chief Inspector, Ohio Dairy and Food Commission.

OHIO DAIRY AND FOOD COMMISSION.

WHITE STAR

COFFEES

ARE PREPARED FOR THE USE OF CRITICAL BUYERS, and are distributed from the principal grocery stores in every city.

We use special care in the preparation of the different flavors, and each and every **WHITE STAR** flavor is as pure and perfect as roasted coffees can be produced.

Merchants handling this line can easily establish a reputation for having that which is best.

The Ohio Coffee & Spice Co.

COLUMBUS, . . . OHIO.

PURE FOOD LAWS OF OHIO.

Regulating the manufacture and sale of foods, drinks and drugs, and providing against fraud and deception therein. The pure food laws of Ohio are administered by a commission, the head of which is elected by the people with the power to appoint assistants and attorneys to co-operate with him in the enforcement of the laws. The present State Dairy and Food Commission of Ohio consists of the following: **OHIO DAIRY AND FOOD COMMISSION.**

J. E. Blackburn, Ph. G., commissioner, Columbus.

William Martin, assistant commissioner, Chardon.

John J. Kinney, assistant commissioner, Cincinnati.

Martin Cowen, chief inspector, Bellaire.

M. A. Bridge, chief clerk, Columbus.

M. J. Cheetham, stenographer, Columbus.

Annie C. Hoge, clerk, Columbus.

F. W. Herbst, drug inspector, Columbus.

George Reymer, inspector, Mansfield.

J. F. Knouff, inspector, Caldwell.

E. B. Beverstock, inspector, Tontogany.

O. J. Berry, inspector, Kimbolton.

Anthony Sauer, inspector, Cincinnati.

George C. Diehl, inspector, Dayton.

Walter F. Brown, attorney, Toledo.

E. B. Dillon, attorney, Columbus.

O. J. Renner, attorney, Cincinnati.

Scott Bonham, attorney, Cincinnati.

Charles H. Bosler, attorney, Dayton.

J. P. Fawcett, attorney, Canton.

J. W. Halfhill, attorney, Lima.

W. B. Beebe, attorney, Cleveland.

J. C. Heinlein, attorney, Bridgeport.

Charles Lawyer, attorney, Jefferson.

J. C. Tallman, attorney, Bellaire.

C. T. Marshall, attorney, Zanesville.

W. S. Plum, attorney, Bellefontaine.

James Joyce, attorney, Cambridge.

Henry Bowers, attorney, New Philadelphia.

Charles H. Wilkins, attorney, Warren.

Edwin C. Wright, attorney, Greenville.

Louis Schmidt, chief chemist, Cincinnati.

G. A. Kirchmaier, chemist, Toledo.

P. L. Hobbs, chemist, Cleveland.

B. S. Young, chemist, Ada.

E. Herbst, chemist, Columbus.

O. G. Brooks, messenger, Columbus.

THE LAWS WHICH IT IS THE CHARGE OF THE COMMISSIONER TO ENFORCE ARE IN SUBSTANCE AS FOLLOWS:

Sec. 1. The state dairy and food commissioner shall be elected for two years, beginning with 1896, at a salary of \$2,000 per year and expenses.

Sec. 2. The commissioner and his assistants shall inspect any article of butter, cheese, lard,

syrup or any other article of food or drink made or offered for sale in this state, and prosecute persons engaged in the manufacture of any adulterated article of food or drink contrary to the laws. The commissioner or his assistants shall have the right to enter into any creamery, factory or place of business where he shall have reason to believe food or drink is sold, and to examine the books and to open any cask or package containing any article of food or drink and analyze the contents thereof, and the prosecuting attorney in any county shall, when called upon by said commissioner or assistants, render any legal assistance in the prosecution of cases arising under this act.

Sec. 4. The commissioner may appoint two assistant commissioners at a salary of \$1,000 per year and expenses; also experts, chemists, agents, inspectors and counsel that may be necessary, and their compensation may be fixed by the commissioner. All expenses shall be paid out of the state treasury upon vouchers certified by the commissioner and upon warrant by the state auditor. Provided the same shall not exceed the amounts specifically appropriated for such purposes. Vacancies in the office of the food commissioner shall be filled by the governor until the next election. All fines, fees and costs shall be paid to the commissioner and by him paid into the state treasury. He shall keep a seal with which to attest official acts and documents, and shall make an annual report to the governor on the 15th day of November of each year. He shall give a bond in the sum of \$5,000 to the state with two or more sureties conditioned for the faithful performance of his duties.

LAWS AGAINST THE ADULTERATION OF FOODS AND DRINKS.

Sec. 1. Prevents the manufacture or sale of any drug or article of food which is adulterated within the meaning of this act.

Sec. 2. The term "drug" shall include all medicines for internal or external use, antiseptics, disinfectants and cosmetics. The term "food" shall include all articles used for food or drink by man.

Sec. 3. An article is deemed to be adulterated within the meaning of this act:

(a) In cases of drugs: (1) If when sold under or by a name recognized in the United States Pharmacopoeia it differs from the standard of strength, quality or purity laid down therein; (2) if when sold under or by a name not recognized in the United States Pharmacopoeia, but which is found in some other pharmacopoeia or other standard work of materia medica it differs materially from the standard of strength, quality or purity laid down in such

Pickles and Condiments

WELLER'S *HIGH-GRADE* **"ACME BRANDS"**

*Sweet and Sour Pickles,
Catsups, Sauces, Mustards,
Vinegars, Olives, Preserves, Jellies,
Boston Baked Beans, Etc.*

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PURE AND WHOLESOME

Please Call for Them.

All First-Class Grocers Sell Them.

Operating Eight Large Factories.

The J. Weller Co.
CINCINNATI, OHIO.

work; (3) if its strength, quality or purity falls below the professed standard under which it is sold.

(b) In the case of food: (1) If any substances have been mixed with it so as to lower or depreciate or injuriously affect its quality, strength or purity; (2) if any inferior or cheaper substance has been substituted wholly or in part for it; (3) if any valuable or necessary constituent or ingredient has been wholly or in part abstracted from it; (4) if it is an imitation of or is sold under the name of another article; (5) if it consists wholly or in part of a diseased, decomposed, putrid, infected, tainted or rotten animal or vegetable substance, whether manufactured or not, or in the case of milk if it is the product of a diseased animal; (6) if it is colored, coated, powdered or polished whereby damage or inferiority is concealed, or if by any means it is made to appear better or of greater value than it really is; (7) if it contains any added substance poisonous or injurious to health; provided the provisions hereof shall not apply to mixtures or compounds recognized as ordinary articles or ingredients of articles of food, if on *each and every package sold or offered for sale* is distinctly labeled as mixtures or compounds *with the name and per cent of each ingredient therein and are not injurious to health*.

Sec. 4. Requires that every person manufacturing, selling or delivering to a purchaser any drug or food within the provisions hereof shall furnish on demand, if a tender of the value of the same shall be made, a sample sufficient for analysis of any such drug or article of food.

Sec. 5. It is a misdemeanor to violate the provisions of this act, punishable by a fine of \$25 nor more than \$100 or imprisonment for 30 days nor more than 100 days, or both. In addition to the penalties herein provided all necessary costs and expenses incurred in inspecting and analyzing such adulterated articles of which said person may have been found guilty of manufacturing or selling shall be paid by such person.

AN ACT PROVIDING AGAINST THE SALE OF UNWHOLESOME FOOD AND AGAINST THE CONTAMINATION OF ANIMALS USED FOR HUMAN FOOD.

Section 6928. Provides that whoever sells or has in his possession with a view to selling any diseased or corrupted or unwholesome provisions, whether meat or drink, without making the conditions thereof known to the buyer, and whoever kill for the purpose of sale any calf less than four weeks old, or has in his possession with intent to sell the meat of any calf which he knows to have been killed when less than four weeks old, shall be fined not more than

\$50, or imprisonment not more than 20 days, or both.

Sec. 6928. 1. Whoever feeds to swine or animals used for human food the flesh of any old horse or the flesh of any animal which has become old, decrepit or sick, or of any dead animal, or of any offal, or flesh that is putrid or unwholesome, shall be fined not less than \$50 nor more than \$200 or imprisonment for the first offense, not more than 30 days, or both, and for the second offense not more than six months, or both.

AN ACT TO PREVENT ADULTERATION OF AND DECEPTION IN THE SALE OF DAIRY PRODUCTS.

Sec. 1. Prevents the sale or exchange of any substance represented to be butter or cheese not made wholly from pure milk or cream, salt and harmless coloring matter, unless it is sold under its true name and each vessel and package is marked with the true name of such substance in bold-faced capital letters not less than five line pica in size, and also the name of each article or ingredient used in the composition of such substance in letters not less than pica in size; or sell or dispose of such substances without labeling each package thereof plainly and ter" and "creamery" or "dairy" or any combination of such words shall not be placed on any vessel or package containing any imitation of dairy products not wholly made from pure milk or cream and harmless coloring matter and salt.

Sec. 2. Prevents the manufacture out of any oleaginous substance or compound thereof not produced from unadulterated milk or cream, salt and harmless coloring matter, of any article designed to be sold as butter or cheese made from pure milk or cream, salt and harmless coloring matter. The use of pure skim milk in the manufacture of cheese is not prevented.

Sec. 3. Prevents the manufacture, compounding or addition to natural pure milk, cream, butter or cheese, of any animal fats or oils, or mineral or vegetable oils, or of any oleaginous substance not produced from pure milk or cream, salt and harmless coloring matter, or to dispose of the same as and for butter and cheese made from unadulterated milk or cream, salt and harmless coloring matter.

Sec. 4. Prevents the sale or exchange, or the possession of any substance made in imitation of any dairy product which is falsely branded or labeled as to the place where made, the name or cream value thereof, its composition or ingredients, or in any other respect.

Sec. 5. Prevents the sale or exchange or the possession of any dairy product falsely branded or labeled as specified in section 4, and cheese wholly made from skimmed milk shall have

Pure Food Products



MOTHER'S OATS

Remember, **Mother's Oats** is the original 2-lb. premium package. Unscrupulous competitors have flattered us by copying our plan, but they are imitations, and we respectfully ask that patronage due the "Pioneer" of any successful enterprise.

THE GREAT WESTERN CEREAL CO.
CHICAGO.

Mother's Oats

IN PACKAGES ONLY.

Always Fresh and Sweet

NO HULLS!!!!

NO BLACK SPECKS!!!!

Parched by direct heat under the old pan process, thereby giving them that rich, nutty flavor, which **CANNOT** be secured by steam drying.

MOTHERS OATS have a world-wide reputation for Purity, Cleanliness and Popularity.

They are popular with the consumer because they are the best rolled oats on earth, and because we give valuable premiums.

They are popular with the grocer because there is a lively demand and handsome profit, and besides, the **grocer can secure handsome premiums** for selling them.

Information on our premium plans cheerfully furnished by our representatives.



Royal Seal Oats

2-LB. TINS ONLY.

The only reason people do not eat more rolled oats in summer is the difficulty of securing them in a fresh, saleable condition. Our new package of

ROYAL SEAL OATS

in hermetically sealed tins, is guaranteed to remain perfectly **fresh and sweet** for years in any climate and under any ordinary conditions.

No Weevil! No Worms! No Stale, Unsaleable Oats, but a profit on 100 per cent. of your purchase of Royal Seal Oats, and the knowledge that you are selling your trade the best, **Purest** and sweetest grade of rich, nutty Rolled Oats, under a guarantee.

2-LB. PACKAGES ONLY.

...The...

Great Western Cereal Co.
CHICAGO

branded upon the box or can containing same "made from skimmed milk."

Sec. 6. Compels persons dealing in any substance other than butter or cheese made wholly from pure milk or cream, salt and harmless coloring matter, in imitation of butter or cheese, to keep a card 10 by 14 inches in a conspicuous place in the store, room, stand, booth, wagon or place where such substance is, on which shall be printed on a white ground in bold black Roman letters not less than twelve line pica, the words "Oleomargarine" or "Imitation cheese" (as the case may be), "sold here"; and said card shall not contain any other words; and no person shall sell oleomargarine, suine, imitation cheese, or imitation dairy product, at retail without informing the purchaser that such substance is an imitation.

Sec. 7. Requires every proprietor, keeper or manager in charge of any hotel, boarding house, restaurant, lunch counter, or public house using or disposing of any substance in imitation of butter or cheese not made wholly from pure milk or cream, salt and harmless coloring matter, to display and keep a white card in a conspicuous place where such substance is sold, used or disposed of not less than 10 by 14 inches, upon which shall be printed in plain bold black Roman letters of twelve line pica the words "Oleomargarine sold and used here," or "Imitation cheese sold and used here" (as the case may be), and the said card shall not contain any other words.

Sec. 8. Prevents the packing, shipping or consigning of any substance as pure butter or cheese in a manner intended to conceal an inferior article by placing a finer grade of butter or cheese upon the surface of the same.

Sec. 9. Provides that no person shall sell or carry to any cheese or butter factory to be manufactured any milk diluted with water or adulterated, or skimmed milk, or milk from which the part known as "strippings" has been withheld, with intent to defraud, or render any false account of the quantity or weight of milk furnished at or to any factory for manufacture.

Sec. 10. Prevents the sale or exchange of unclean or unwholesome milk, or as "pure milk" milk diluted with water or skimmed milk.

Sec. 11. Prevents the sale or exchange or the possession of any milk falsely branded as to grade, quantity or place where produced or procured.

Sec. 12. No person shall keep milk cows in a cramped or unhealthful condition, or upon food that produces impure or unwholesome milk.

Sec. 13. Requires that in the sale or exchange of any condensed milk the package or vessel containing the same shall be distinctly labeled with its true name or brand, by whom

and under what name made, and that no condensed milk shall be made, sold or exchanged unless made from pure unadulterated milk, not skimmed, or unless the proportion of milk solids contained in condensed milk are twelve per centum of milk solids in crude milk, and of such solids twenty-five per centum shall be fat.

Sec. 14. No impure butter or cheese shall be used in any of the charitable or penal institutions of the state.

Sec. 15. It is a misdemeanor to violate any of the foregoing sections, punishable by a fine of not less than \$50 nor more than \$200 for the first offense or for each succeeding offense not less than \$100 nor more than \$500, or by imprisonment not less than 10 nor more than 90 days, or both.

AN ACT TO PREVENT DECEPTION IN THE SALE OF DAIRY PRODUCTS AND TO PRESERVE THE PUBLIC HEALTH.

Sec. 1. Prevents the manufacture or rendering for sale out of animal or vegetable oils not produced from unadulterated milk or cream of any imitation of natural butter or cheese so produced, nor compound with or add to milk, cream or butter any acids or other deleterious substances or animal fats or oils, or vegetable oils not produced as aforesaid, so as to produce any imitation of natural butter or cheese, whether such article, substance or compound shall be made in this state or elsewhere.

Sec. 2. For the purpose of this act the terms "natural butter and cheese," "natural butter or cheese produced from pure unadulterated milk or cream from the same, butter and cheese made from unadulterated milk or cream, butter or cheese the product of the dairy," and butter and cheese shall be understood to mean the product usually known by the terms butter and cheese manufactured exclusively from pure milk or cream, or both, with salt, or with or without any harmless coloring matter. Provided the sale of oleomargarine is not prohibited if made in a manner to advise the consumer of its real character.

Sec. 3. It is a misdemeanor to violate this act, punishable by a fine of not less than \$100 nor more than \$500, or not less than six months nor more than one year's imprisonment for the first offense, and by imprisonment for one year for each subsequent offense.

OLEOMARGARINE.

Sec. 1. Prevents the sale or having in possession of oleomargarine containing any methyl, orange, butter yellow, annato, annaline dye, or any coloring matter.

Sec. 2. Requires persons selling or delivering oleomargarine to keep a white placard 10 by 14 inches in a conspicuous place where such substance is offered for sale, upon which shall be printed in black letters one and one-half inches square the words "oleomargarine sold

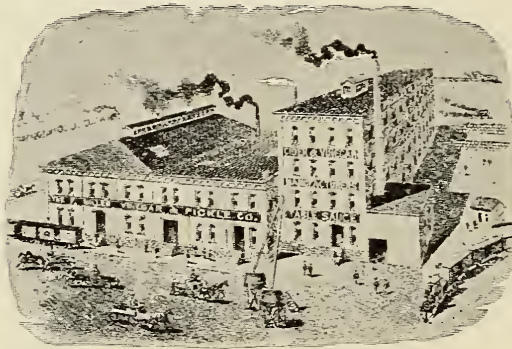
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here"; and said package shall not contain any other words; said package must be labeled with the true name of such article on the upper side thereof, in letters not less than five-eighths of an inch square the name and per cent of each ingredient therein.

Sec. 3. Every proprietor, hotel keeper, manager or boat, railroad car or eating house, using oleomargarine, is subjected to the requirements of section 2 as to notifying the guests or patrons of such usage, except as to the ingredients contained in said oleomargarine.

Sec. 4. "Oleomargarine" is defined to mean any substance not pure butter of not less than 80 per cent of butter fats, made in imitation of butter.

Sec. 5. Provides that any manufacturer who violates this act shall be fined not less than \$100 nor more than \$500; and for each subsequent offense in addition to the fine he may be imprisoned in the county jail for 90 days; any other person shall be fined \$50 nor more than \$100.

CHEESE.

Sec. 1. Provides that whoever sells or has in his possession with intent to sell any substance in imitation of cheese, not made exclusively and wholly of milk or cream, with salt, rennet, and with or without harmless coloring matter, or containing any fats, oils or grease not produced from milk or cream, shall have the words "filled cheese," and all cheese made as

aforesaid containing less than 20 per cent pure butter fat, shall have the words "skimmed cheese," stamped or labeled in letters of plain uncondensed Gothic type at least one inch in length upon the sides of every cheese, cheese cloth or band around the same, and upon the top of every package containing the same. Retailers shall deliver with each package to the purchaser a label attached upon the outside thereof with the words "filled cheese" or "skimmed cheese" printed as aforesaid.

Sec. 2. Whoever sells any substance as cheese, except as provided in section 1, or whoever erases, cancels or removes any label or wrapper as provided aforesaid, or falsely labels or marks any package stamped as aforesaid, shall be fined not less than \$50 nor more than \$100, or be imprisoned in the county jail not less than 10 nor more than 30 days for the first offense, and not less than \$100 nor more than \$200, or by imprisonment in the county jail not less than 20 nor more than 60 days, or both, for each subsequent offense.

Sec. 3. Whoever sells to any person any substance in imitation of cheese not made entirely from milk or cream, as provided aforesaid, shall be punished by a fine of not less than \$50 nor more than \$100, or by imprisonment in the county jail not less than 10 nor more than 30 days for the first offense, and by a fine of not less than \$100 nor more than \$200, or by imprisonment in the county jail not less than 20 nor

more than 60 days, or both, for each subsequent offense.

Sec. 4. Whoever sells any substance as cheese not marked as hereinbefore provided shall be punished by a fine not less than \$50 nor more than \$100, or by imprisonment in the county jail not less than 10 nor more than 30 days for the first offense, and by a fine of not less than \$100 nor more than \$200, or by imprisonment in the county jail not less than 20 nor more than 60 days, or both, for each subsequent offense.

Sec. 5. Whoever sells any substance as an imitation of cheese not made as aforesaid, from any dwelling houses, office, store or public mart, shall post therein in letters not less than four inches in length "filled cheese sold here," or "skimmed cheese sold here," as the case may be. For failure to do so he shall be fined \$100 for the first offense and \$100 a day for each day's neglect thereafter.

Sec. 6. Whoever sells or solicits orders for the future delivery of, or delivers "filled cheese" or "skimmed cheese" or any imitation thereof not made as aforesaid, and not having on both sides of said cart, wagon or other vehicle a placard containing the words "filled cheese" or "skimmed cheese" in uncondensed Gothic letters not less than three inches in length, shall be punished by a fine of not less than \$50 nor more than \$100, or by imprisonment in the county jail not less than 10 nor more than 30 days for the first offense, and by a fine of not less than \$100 nor more than \$200, or by imprisonment in the county jail not less than 20 nor more than 60 days, or both, for each subsequent offense.

Sec. 7. Whoever furnishes in any hotel, restaurant, or at any lunch counter "filled cheese" or "skimmed cheese," or any imitation thereof, not made as aforesaid, shall notify each guest or patron that said substance is not cheese, and any person so furnishing without said notice shall be punished by a fine of not less than \$10 nor more than \$50 for each offense.

Sec. 8. Every manufacturer may brand each cheese manufactured indicating "full milk cheese," with the name and year when made, and no person shall use such brand upon any cheese made from milk from which any of the cream has been taken. The food and dairy commissioner shall issue to each manufacturer upon application before the first day of April of each year, upon such regulations as he may prescribe, a uniform stencil brand bearing a suitable motto or design and the words "Ohio state full cream cheese." Every such brand shall be used upon the outside of the cheese, cheese cloth or brand, and upon the package or box containing the same and bear a separate number for each separate manufacturer. The commissioner shall register the name, location and number of each manufacturer, using the brand or stencil

authorized in each factory. No such brand shall be used upon any other than full cream cheese or packages thereof; provided, however, this section shall not prohibit the sale of pure skimmed cheese made from milk that is clean, pure and unadulterated except by skimming. The commissioner shall receive a fee of \$1 for each registration, to be paid by the person applying therefor. Every violation of this act is punishable by a fine of not less than \$50 nor more than \$100, or by imprisonment in the county jail not less than 10 nor more than 30 days for the first offense, and by a fine of not less than \$100 nor more than \$200, or by imprisonment in the county jail not less than 20 nor more than 60 days, or both fine and imprisonment, for each subsequent offense.

Sec. 9. The words "person" shall include persons, corporations and companies.

MILK.

Sec. 1. Prevents the sale, exchange or delivery or possession with intent to sell of adulterated milk, or milk to which water or any foreign substance has been added, or milk from diseased or sick cows, and declares it a misdemeanor to violate this act, punishable by a fine of not less than \$50 nor more than \$200 for the first offense, nor less than \$100 nor more than \$300, or by imprisonment in the work house for not less than 30 days nor more than 60 days for a second offense, and for a subsequent offense by a fine of \$50 and by imprisonment in the work house for not less than 60 nor more than 90 days.

Sec. 2. Whoever sells, exchanges or has in his possession with intent to sell any milk from which the cream or part thereof has been removed, shall be punished as in the preceding section provided.

Sec. 3. No dealer in milk shall sell or exchange or deliver "skimmed milk" unless the words "skimmed milk" have been plainly marked in uncondensed Gothic letters not less than one inch in length upon each vessel or package containing the same. Whoever violates this section shall be punished as provided in section 1.

Sec. 4. In prosecutions under this chapter if milk is shown upon analysis to contain more than 88 per cent of watery fluids, or to contain less than 12 per cent milk solids not less than one-fourth of which must be fat, it shall be deemed for the purpose of this chapter to be adulterated, except during the months of May and June, when milk containing less than eleven and one-half per cent of milk solids shall be deemed to be not of good quality.

CANDY.

Sec. 1. Prevents the sale or manufacture of adulterated candy, by the admixture of terra alba, barytes, talc or other mineral substance,

poisonous colors or flavors or ingredients injurious to health.

Sec. 2. Every person manufacturing any candy shall upon demand furnish the buyer with a sample sufficient for analysis thereof.

Sec. 3. Whoever refuses to comply with the requirements of section 2, and whoever violates this act, shall be guilty of a misdemeanor and fined not exceeding \$100 nor less than \$25, or imprisoned in the county jail not exceeding 100 nor less than 30 days, or both, and in addition shall pay costs incurred in inspection and analysis of such adulterated candy.

CANNING FRUITS AND VEGETABLES.

Sec. 1. It is unlawful for any packer or dealer in preserved or canned fruits or vegetables to offer same for sale, except goods brought from foreign countries, unless marked to indicate the grade and quality, together with the name and address of such firm, person or corporation who packed the same, or dealer who sells the same.

Sec. 2. All soaked goods or goods put up from produce dried before canning shall be securely labeled, upon which label the words "soaked" in letters not less than two-line pica shall be printed; and all packages containing maple syrup or molasses shall be labeled, and upon such label shall be printed the name and address of the person, firm or corporation who made and prepared the same, together with the name and quality of the goods, in letters of the size provided in this section.

Sec. 3. Any person who shall falsely stamp or label cans or jars containing preserved fruit or food or violates the provisions of this act shall be deemed guilty of a misdemeanor and punished by a fine or not less than \$50 in the case of vendors, and in the case of manufacturers a fine of not less than \$500 nor more than \$1,000; and it shall be the duty of any board of health cognizant of any violation of this act to punish any firm or corporation violating the provisions hereof.

MAPLE SUGAR AND MAPLE SYRUP.

Sec. 1. Pure maple syrup or pure maple sugar shall be the unadulterated product produced by the evaporation of pure sap from the maple tree.

Sec. 2. The standard of weight of a gallon of maple syrup of 231 cubic inches shall be eleven pounds. Any substance mixed with maple syrup or maple sugar shall be deemed an adulteration within the laws of this state.

VINEGAR.

Sec. 1. Prevents the manufacture or sale or delivery or possession with intent to sell of vinegar not in compliance with the provisions hereof. No vinegar shall be sold as apple or cider vinegar which is not the legitimate product of pure apple juice; or vinegar not made exclusively of apple cider; or vinegar which

upon test shall contain less than two per cent by weight of cider vinegar solids upon full evaporation at the temperature of boiling water.

Sec. 2. Vinegar made by fermentation or oxidation without the intervention of distillation shall be branded "fermented vinegar," with the name of the fruit or substance from which the same is made. Vinegar made from distilled liquors shall be branded "distilled vinegar" and shall be free from coloring matter other than that imparted to it by distillation. Fermented vinegar not distilled shall contain not less than 2 per cent of solids (at the temperature of boiling water) contained in the fruit or grain from which said vinegar is fermented, and said vinegar shall contain not less than two and one-half tenths of one per cent ash or mineral matter, the same being the product of the material from which said vinegar is manufactured. All vinegar shall be made from fruit or grain from which it is represented to be made, and contain no foreign substance, and shall contain not less than four per cent by weight of absolute acetic acid.

Sec. 3. Prevents the manufacture or sale or possession with intent to sell of vinegar containing any preparation of lead, copper, sulphuric or other mineral acids or ingredients injurious to health. All packages containing vinegar shall be branded on the head of the cask, barrel or keg containing same with the name and residence of the manufacturer, together with brand required in section 2 hereof.

Sec. 4. A violation of this act is punishable by a fine of not less than \$50 nor more than \$100, or imprisonment not less than 30 nor more than 100 days, or both, and the payment of costs incurred in the inspection and analysis of such vinegar. Every person not a domestic manufacturer of cider vinegar shall brand the packages or kegs containing same with the name and residence of the manufacturer, the date when same was made, and the words "cider vinegar." No vinegar shall be branded fruit vinegar unless made wholly from apples, grapes or other fruit. Provided this act shall not prevent farmers from manufacturing for their own private use or selling not to exceed twenty-five barrels in any one year pure cider vinegar or pure fruit vinegar, branding the same "domestic cider vinegar" with the name and date of manufacture.

FLAXSEED OR LINSEED OIL.

Sec. 1. Prevents the sale or manufacture of flaxseed or linseed oil for other than food purposes unless the same answers a chemical test for purity recognized in the United States Pharmacopoeia, or as "boiled linseed oil" unless the same shall have been put in its manufacture to a temperature of 225 degrees Fahrenheit.

Sec. 2. Prevents the sale of flaxseed or lin-

seed oil under any other than its true name, and requires that each tank, car, barrel or any vessel containing same shall be distinctly and durably painted or stenciled with the true name of such oil in ordinary black-faced capital letters not less than five lines pica in size with the words "Pure Linseed Oil, Raw," or "Pure Linseed Oil, Boiled," and the name and address of the manufacturer.

Sec. 3. Prevents the sale without stamp as required by this act on vessels containing flaxseed or linseed oil or falsely stamping same, and declares such to be a misdemeanor, punishable by a fine of not less than \$50, nor more than \$500, or imprisonment not less than 30 nor more than 90 days, or both, for each offense.

Sec. 4. The Food and Dairy Commissioner is charged with the enforcement of this act.

INTOXICATING LIQUORS.

Sec. 7082 R. S. Whoever adulterates for the purpose of sale any spirituous, alcoholic or malted liquors used for drink or mechanical purposes with *coccus-indicus*, vitriol, grains of paradise, opium, alum, capsicum, copperas, laurel water, logwood, Brazilwood, cochineal, sugar of lead, aloes, glucose, tannic acid or any other substance which is poisonous or injurious to health, or with any other substance not necessary in the manufacture thereof, or whoever sells such adulterated liquors shall be fined in a sum not less than \$20 nor more than \$100, or be imprisoned not less than 20 nor more than 60 days, or both. Any person guilty under this section shall also pay all costs incurred in inspection and analysis of such adulterated liquors.

(MANUFACTURING OR SELLING POISONED LIQUORS.)

Whoever uses any active poison in the manufacture or preparation of any intoxicating liquors, or sells such liquors so prepared, shall be imprisoned in the penitentiary for one nor more than five years.

(FAILING TO PROPERLY BRAND PACKAGES OF LIQUOR.)

Whoever sells or manufactures intoxicating liquors and fails to brand on each package containing same the name of the manufacturer or person rectifying or preparing the same, and also the words "containing no poisonous drugs or other added poison," shall be fined not more than \$1,000 and imprisoned not more than six months nor less than one month.

DOMESTIC WINES.

Sec. 7081 R. S. Whoever adulterates any wine, or juice expressed from grapes grown within this state, by mixing therewith any drugs, chemicals, cider, whiskey or other liquor, and whoever sells such adulterated wine or grape juice knowing the same to be adulterated, shall be fined in any sum not more than \$300 nor less than \$50.

WINE, PURE, COMPOUNDED AND ADULTERATED.

Sec. 1. Provides that all liquors denominated as wine, containing alcohol, "except such as shall be produced by natural fermentation of pure undried grape-juice," or compounded with distilled spirits, or by both methods, whether denominated as wine or otherwise, except as allowed in section 4 of this act; or for compounding with other liquors for such use; and all compounds thereof with pure wine; and all preserved fruit juices compounded with substances not produced from undried fruit; and all wines which contain any glucose or uncrystallized grape or starch sugar, or cider, or pomace of grapes, the juice of which has been expressed or extracted, known as grape cheese; and all wines, imitation of wines produced from fruit into which carbonic acid gas has been injected, or which shall contain any alum, baryta, salts, caustic lime, carbonate of soda, carbonate of potash, carbonic acid, salts of lead, salicylic acid or any other antiseptic, coloring matter (other than produced from undried fruit or pure sugar), essence of ether or any foreign substance whatever, injurious to health, shall be denominated as adulterated wine; and any person selling or manufacturing the same shall be guilty of a misdemeanor, and shall be punished by a fine not less than \$200 nor more than \$1,000, or be imprisoned in the county jail not less than 30 days nor more than six months, or both, and shall be liable to a penalty of \$1 for each gallon thereof sold or manufactured; and such wine shall be deemed a public nuisance and forfeited to the state.

Sec. 2. For the purposes of this act the words "pure wine" shall be understood to mean the fermented juice of the undried grapes, without the addition of water, sugar or any foreign substance whatever; and that such wine shall be known as "pure wine" and shall be stamped or labeled as "pure wine," and the name and kind of wine and the locality where made and the name of the manufacturer may also be added; and it shall be unlawful to affix any label containing the words "pure wine" on any vessel or receptacle containing any substance other than pure wine as in this section defined, or to counterfeit such label so as to mislead or deceive any person or cause the supposed contents of such package to be considered pure wine; and if the name of the manufacturer is added, then only of such manufacturer's make, provided the same is pure wine; and any person selling such wine shall in the invoice thereof plainly state and designate the same as "pure wine."

Sec. 3. For the further purposes of this act the word "wine" shall be understood to mean the fermented juice of undried grapes; provided that the addition of pure white or

crystallized sugar to perfect the wine, or the using of the necessary things to clarify and refine the same not injurious to health shall not be construed as adulterations, provided such wine shall contain not less than 75 per cent of pure grape juice and no artificial flavoring whatever; and all such "wine" shall be stamped and labeled as "wine" as provided in section 2 hereof, without the prefix "pure"; and the provisions of said section 2 as far as applicable shall govern the manufacture and sale of "wine" as defined herein. Any person selling such wine shall invoice the same as "wine" without the prefix "pure."

Sec. 4. For the further purposes of this act the words "compounded wine" shall be understood to mean any wine which contains less than 75 per cent of pure undried grape juice, and is otherwise pure; and all wines containing alcohol or distilled spirits not produced by the natural fermentation of pure undried grapes shall be known as compound wine and branded as such, and the name of such wine may be added, or such wine shall be labeled with the word "compounded" next preceding the name of such wine, such as "Compounded Sweet Catawba" or "Compounded Port," or the like (and an addition of pure distilled spirits not to exceed 8 per cent of its volume shall not be taken to be an adulteration of such wine); and upon each package or receptacle containing more than three gallons there shall be stamped at both ends in black printed letters at least one inch high and of proper proportion the words "compounded wine," or the name of such wine preceded by the word "compounded," as in this section provided; and upon all packages or receptacles which shall contain more than one quart and up to three gallons there shall be stamped upon each of said packages or receptacles in plain printed black letters, at least one-half inch high and of proper proportion the words "compounded wine," or the name of such wine preceded as aforesaid, and upon all packages and receptacles of one quart or less there shall be securely pasted a label with the words "compounded wine," or the name preceded as aforesaid, plainly printed in black letters at least one-fourth of an inch high and of proper proportion. Should any number of such packages or receptacles be enclosed in a larger package such inside package shall also receive the stamp "compounded wine," or the name thereof preceded as aforesaid, the letters to be the size according to the amount of such wine contained in such outside package. Such wine shall be invoiced as "compounded wine."

Sec. 5. Any person who shall violate any of the aforesaid sections shall be guilty of a misdemeanor and shall be punished by a fine of not less than \$100 or more than \$1,000 for each and every offense, or by imprisonment in

the county jail not less than 30 days, nor more than six months, or both fine and imprisonment; and shall be liable to a penalty of one-half dollar for each gallon of such wine sold or manufactured. All penalties imposed by this act may be recovered with costs of action by any person in his own name before any justice of the peace in the county where such offense was committed, when the amount does not exceed the jurisdiction of such justice; and such penalties may be recovered in any court of record, but on the recovery by the plaintiff in such case for a sum less than \$50 the plaintiff shall only be entitled to recover costs equal to the amount of such recovery. Prosecuting attorneys of the respective counties shall prosecute for a violation of this act and one-half the penalty recovered shall belong to and be paid over to the person giving the information upon which the action is brought. Judgments under this act shall be construed in the same manner as judgments in other cases. Two or more penalties may be included in the same action.

Sec. 6. This act shall not apply to medicated wines sold for medicinal purposes only; nor to currant wine or other wines made from fruits other than grapes, which are labeled or sold under names including the word wine, but also distinctly expressing the fruit from which they are made, as "gooseberry wine," "elderberry wine," or the like.

(SELLING OR GIVING AWAY POISONS.)

Whoever sells or gives away any quantity of arsenic less than one pound without first mixing therewith soot or indigo, in the proportion of one ounce of soot or one-half ounce of indigo to the pound of arsenic, except upon the prescription of a physician, or sells or gives away any quantity of poison to any minor, or to any person, without first having marked the word "poison" upon the label on the package containing same, and registered the day and date upon which same is sold or given away, and the quantity thereof, and the name and sex, age and color of the person obtaining the same, and the purpose for which same is required, and the name and place of abode of the person for whom such is intended, shall be fined not more than \$200 nor less than \$20.

LABELING POISONOUS ARTICLES.

Sec. 1. Whenever any pharmacist, druggist, or dealer in poisons, chemicals, medicines or drugs shall sell any drug or chemical, such dealer shall affix to each bottle or package of such drug, chemical or poison a label printed in red ink with the name of the article and the precautionary emblem of the skull and crossbones and the words "caution" and "poison," and at least two of the most readily obtainable active antidotes to such poisonous article. A

violation of this act is punishable by a fine not exceeding \$100 nor less than \$10.

(SELLING ARTICLES HAVING FORGED STAMP, BRAND, OR LABEL AFFIXED.)

Whoever sells any goods, merchandise, or preparation upon which any words, stamp or label or trade-mark is affixed, knowing the same to be forged, shall be fined not more than \$100. (56 v. 86.)

(FORGING BRAND, STAMP, LABEL OR TRADE-MARK.)

Sec. 7096. Whoever willfully forges or counterfeits any brand, label or trade-mark used upon goods, merchandise or preparation shall be fined not more than \$500, or imprisoned not more than twelve months, or both.

(FAILURE TO MARK WEIGHTS ON PACKAGES; FRAUDULENT TRANSFER OF BRANDS; FRAUDULENT REPACKING OF BRANDED PACKAGES.)

Sec. 7072. Whoever puts up or packs any goods or articles sold by weight, into any case or package, and fails or omits to mark thereon the gross, tare and net weights thereof in pounds and fractions of pounds; or, with intent to defraud, transfers any brand, mark or stamp put upon such case or package, or repacks any case or package marked or branded with the stamp of any manufacturer, shall be fined not

more than \$500 or imprisoned not more than six months, or both. (53 v. 69; 62 v. 145.)

(HAVING BRAND, LABEL, ETC., IN POSSESSION, TO USE FRAUDULENTLY; FRAUDULENTLY USING GENUINE BRAND, STAMP, ETC.)

Whoever has in his possession any die, plate, engraving, brand, stamp, printed label, wrapper or trade-mark, or any imitation thereof, affixed by any person upon articles made, manufactured or prepared by him, for the purpose of making impressions or selling the same when made, or passing the same off upon the community as original goods of such other person, or so in fact sells or uses the same, or wrongfully or fraudulently uses the genuine stamp, etc., shall be fined not more than \$500, or imprisoned not more than twelve months, or both. (56 v. 86.)

Before dealing in "scheme goods" dealers should consult laws against lotteries. (Sections 6929, 6930 and 6931, R. S.)

(SELLING BY FALSE WEIGHTS.)

Whoever knowingly sells or permits any person in his employ to sell any property, or makes or gives any false or short weight or measure, whereby any person may be deceived or injured, shall be fined not more than \$50, or imprisoned not more than 30 days, or both.

PURE FOOD LAWS OF THE TERRITORY OF OKLAHOMA.

The Territory of Oklahoma has no pure food or dairy commission nor is any department specifically charged with the enforcement of the laws against the adulteration of food or drink; but the State Board of Health has power to condemn and cause to be destroyed such articles of food as are impure, adulterated and unfit for human consumption.

DELETERIOUS FOOD.

ARTICLE 50.

Sec. 2436. Provides any person who shall sell any kind of diseased, corrupted or unwholesome provisions, whether meat or drink, without making the fact known to the buyer, shall be punished by imprisonment in the county jail not more than six months, or fined not exceeding \$100.

Sec. 2437. Any person who shall fraudulently adulterate, for the purpose of sale, or offer for sale, any substance intended for food, or any wine, spirits, malt or other spirituous liquors or any other liquors intended for drink, or any candy or sweet meat, with any substance, coloring matter, or anything poisonous or deleterious to health, or any article of food or drink that it is not just what, in its purity, it is represented to be, or who shall manufacture, sell or offer for sale, any such adulterated food, liquor, candy or sweet meat, shall be punished by imprisonment in the county jail not more

than one year or by a fine not exceeding \$200, and such article shall be forfeited and destroyed.

MILK.

Sec. 2443. Any person who shall bring or send to any other person, to be used for the manufacture of butter or cheese, or sell, furnish or supply to any person to be used in any manner whatever, any milk, drawn from a cow not in proper condition of health, or milk adulterated by any deleterious substances, or adulterated with water or colored by any substance whatsoever, shall be punished by imprisonment in the county jail not more than thirty days, or fined not exceeding \$50, and shall be civilly liable to the party wronged in a sum not less than \$50.

Sec. 2264. Every person who adulterates or dilutes any article of food, drink, drug, medicine, strong, spirituous or malt liquor or wine, or any article useful in compounding either of them, whether useful for mankind or animals, with intent to offer the same, or cause or permit it to be offered for sale as unadulterated and undiluted, and every person who fraudulently sells, keeps or offers for sale the same as unadulterated or undiluted, knowing it to have been adulterated or diluted is guilty of a misdemeanor.

PURE FOOD LAWS OF OREGON.

The legislative assembly of this state, at the session held in 1901, enacted a law to provide against the adulteration of articles of food and drink, and to provide for its effectual administration. Under the provisions of this law a Dairy and Food Commissioner shall be elected in the month of June, 1904, and every four years thereafter. He shall have the power to appoint a deputy Dairy and Food Commissioner to assist him in the administration of the laws. The legislature has provided that during the interim from the time of the passage of said act until the election of said Dairy and Food Commissioner in 1904 the laws now in force shall be administered by the Dairy and Food Commissioner elected at the general election held in June, 1900. The Dairy and Food Commission of Oregon is constituted as follows:

J. W. Bailey, Commissioner.

F. G. Cutlip, Deputy Commissioner.

A digest of the laws on the subject of pure food legislation is as follows:

Sec. 1. Provides for the election of a Dairy and Food Commissioner at the general election in June, 1904, and every four years thereafter. His salary shall be \$1,800 per year and actual traveling expenses not to exceed \$1,200 per year. He may appoint a deputy at a salary of \$900 per year. He may appoint other deputies as occasion may require and fix their compensation. He shall inspect in person or by deputy every creamery and cheese factory within this state not less than once within each year. He shall also inspect dairy herds and the methods of feeding, caring for and stabling of the same. He shall establish his office in the city of Portland. He shall keep full and correct account of all business done by him or by his deputy and make reports to the legislature.

ADULTERATED FOOD AND MEDICINE.

Sec. 2. Prohibits the sale or exchange of any adulterated food, drink or medicine or fertilizer unless marked with its true character so as to distinguish it from a pure article of food, drink, medicine or fertilizer. In any public dining room or eating room where such adulterated food or drinks are used the bill of fare shall state the facts in the same size type as is used in printing the body of said bill of fare, or if no bill of fare is used printed notice thereof shall be posted in a conspicuous place in said dining or eating room, so as to be easily seen by anybody entering such room, in which notice shall be stated in large letters the fact that adulterated food and drinks are being used for food or drink. It is unlawful for any person to sell re-worked butter or mixed butter unless

the same is marked "process butter," and it is unlawful for any person to sell any tub or packed butter re-moulded into prints or rolls or squares unless the same is plainly marked "tub butter," or for any person selling re-worked, mixed or re-modeled butter to mark or brand said butter with the stamp of any creamery or with the words "creamery butter," or to sell any diseased, unclean, impure or unwholesome food, drink or medicine of any description.

Sec. 3. An article of food or drink or medicine shall be deemed adulterated when:

(1) Any substance has been mixed with it so as to reduce or lower or injuriously affect its quality or strength;

(2) If any inferior or cheaper substance has been substituted wholly or in part for it;

(3) If any valuable constituent has been wholly or in part abstracted from it;

(4) If it is an imitation of or sold under the name of another article;

(5) If it is colored, coated, powdered or polished whereby damage is concealed; or if it is made to appear better or of greater value as compared with the total solids than it really is; provided, however, that salt, annatto, or butter coloring in which annatto is the principal ingredient shall not be considered as an adulteration when used in products.

(6) Butter that contains more than 14 per cent of water.

(7) Milk that contains more than 88 per cent of water.

(8) Milk that contains less than 3 per cent fat.

(9) Milk that contains less than 9 per cent solids other than butter fat, or less than 1.038 specific gravity after cream has been removed.

(10) Jellies, jams and fruit sauces put up for sale that contain any other ingredient than pure fruit substances and juices.

(11) Apple cider vinegar that contains an acidity of less than 4 per cent of absolute acetic acid or 1½ per cent cider vinegar solids, or that is made of anything else than absolute apple cider.

(12) Pickles or fruit sauces shall contain no other sweetening matter than pure sugar.

Sec. 4. Prohibits the manufacture or sale or possession with intent to sell as butter any article, product or compound made wholly or partly out of any fat, oil, oleaginous substance or compound thereof not directly or wholly produced from pure unadulterated milk or cream of the same, or colored in imitation of yellow butter produced from pure unadul-



HON. J. W. BAILEY,
Dairy and Food Commissioner of Oregon.

terated milk or cream. This act shall not prohibit the manufacture or sale of oleomargarine in a separate and distinct form, and in such manner as will advise the consumer of its real character, free from coloring matter or ingredients causing it to look like butter.

BUTTER.

Sec. 5. Any person who shall manufacture butter under the separator process shall apply to the Dairy and Food Commissioner for a stencil or plate with the number of the creamery and the name of the manufacturer and where manufactured, and the words "Oregon Creamery Butter; Full Weight," and on each box of butter so marked there shall be an impression from said stencil attached thereto, and each roll or square of butter shall bear a wrapper upon which shall be the words "Oregon Creamery Butter; Full Weight," and the number of ounces in such roll or square.

CHEESE.

Sec. 6. Every person who shall, at any creamery, cheese factory or private dairy, manufacture cheese, shall at the place of manufacture brand on the bandage of every cheese or box containing same the true grade of said cheese, as follows, to-wit., "Oregon Full Cream Cheese," or "Oregon Half Skimmed Cheese," or "Oregon Quarter Skimmed Cheese," or "Oregon Skimmed Cheese," as the case may be. "Full Cream Cheese" shall contain not less than 30 per cent butter fat; cheese that contains 15 per cent butter fat and under 30 per cent butter fat shall be known as "Half Skimmed Cheese"; cheese that contains $7\frac{1}{2}$ butter fat and under 15 per cent butter fat shall be known as "Quarter Skimmed Cheese"; cheese that contains less than $7\frac{1}{2}$ per cent butter fat shall be known as "Skimmed Cheese"; provided, this section shall not apply to "Edam," "Brickstein," "Pineapple," "Limberger," "Swiss," or handmade cheese not made by the ordinary Cheddar process.

Sec. 7. Each square or roll of butter represented to contain one pound in weight shall contain full 16 ounces; or if represented to contain two pounds in weight shall contain full 32 ounces.

Sec. 8. Every manufacturer of cheese shall apply to the Dairy and Food Commissioner for a stencil, giving number of factory, quality or grade of cheese, the name of the manufacturer and the county in which the same is manufactured; and each box of cheese shall bear the impression from said stencil.

Sec. 9. A charge of \$1 for each stencil or plate furnished by the Dairy and Food Commissioner shall be made upon each application therefor.

Sec. 10. The Dairy and Food Commissioner shall seize any article of food, drink or fer-

tilizer kept or sold in violation of this act until such time as such article may be analyzed; if the same be found unfit for food the Commissioner shall cause the same to be destroyed. If any article be found adulterated or labeled in violation of this act, not being unwholesome or unfit for food, the commissioner shall brand each package thereof with its true character and return same to the person from whom taken. It is unlawful for a person to remove or deface or cancel or conceal any brand or label placed by the Dairy and Food Commissioner under this section, or to sell or offer for sale any article so marked or labeled without exhibiting such mark or label to the view of the public.

Sec. 11. The Dairy and Food Commissioner shall keep a correct list of the name and location of every person engaged in selling milk or cream in cities of 10,000 inhabitants or more, and shall number the same, and every person so engaged shall notify the commissioner of any change of management or of location in his or their dairy or creamery; and any person so engaged shall on the first day of each year apply to the commissioner for a metal plate, giving the name and location of the dairy or creamery of such person, which plate shall be placed in a conspicuous place on each delivery wagon owned or operated in the sale of milk or cream.

Sec. 12. Provides for the caring of cows and regulations to be observed by keepers of stables in which such cows are kept; also provides that the dairy and food commissioner shall notify the proprietor of any dairy if the same is found to be in a filthy or unhealthful condition that same must be put in a healthful condition within three days; any default in putting the same in said condition after said notice renders the proprietor guilty of a misdemeanor.

Sec. 13. The use of borax, boracic acid or salicylic acids or injurious antiseptics in the manufacture of butter for sale, or milk or cream offered for sale is prohibited.

VINEGAR.

Sec. 14. The sale of acid, malt, or distilled vinegar colored to resemble apple cider vinegar is prohibited.

SPICES.

Sec. 15. Spices and fluid extracts sold, if not pure, shall be labeled "Adulterated," with the percentage of adulteration.

JELLIES, ETC.

Sec. 16. Jellies, jams and fruit sauces containing any other ingredient than pure fruit substances and juices shall bear but one label, which label shall truly state the percentage of the various substances contained therein, in type of equal size with any on said label.

OLEOMARGARINE.

Sec. 17. Every person who sells oleomargarine or imitation butter or imitation dairy product shall record each sale at the time thereof in a book. Said book shall state the amount sold and the name and address of the purchaser, and be open to the inspection of the Dairy and Food Commissioner or his deputy at all times.

Sec. 18. Every railroad company or other transportation company upon application of the Dairy and Food Commissioner of his agent shall give the name and address of any shipper or consignee of any supposed diseased or unwholesome meats or foods of any kind.

Sec. 19. Every manufacturer of butter or cheese in quantities exceeding 25 pounds per week for sale shall report to the Dairy and Food Commissioner annually as follows: (1) Name and address of the manufacturer; (2) name and address of owner of cows; (3) number of pounds of milk purchased; (4) total number of pounds of milk used in the manufacture of butter and the number of pounds used in making cheese; (5) number of pounds of butter and cheese made; (6) number of pounds of butter and cheese sold. Provided the amount of butter and cheese made by any such person shall not be published if the maker requests that it shall not be done.

Sec. 20. Everything sold as a commercial fertilizer shall have attached a label containing a certificate of analysis made by a competent chemist from a fair and true sample of the substance to which such label is attached. The term "commercial fertilizer" as used in this act shall be taken to mean any and every substance imported, manufactured, prepared or sold for fertilizer or manurial purposes, except barnyard manure, lime, marl, wood ashes or plaster.

Sec. 21. The chemist of the State Agriculture College shall make analyses as required by the Dairy and Food Commissioner, and the certificate of said chemist duly signed shall be *prima facie* evidence in all courts of justice; provided, that the testing of milk and cream shall be done by the Dairy and Food Commissioner, and his certificate thereof shall be *prima facie* evidence in courts of justice.

Sec. 22. The Commissioner and experts,

chemists or agents shall have access, ingress and egress to all places of business, factories, farm buildings, carriages, cars, vessels or utensils used in the manufacture, production or sale of any food, medicine or fertilizer, and they shall have power and authority to open any package, case or vessel containing such articles; and any manufacturer, dealer, hotel or restaurant keeper shall deliver to the Commissioner or his deputy samples of articles aforesaid upon a tender of the price thereof in money.

Sec. 23. Cheese offered for sale at retail shall bear a label containing letters not less than one-half inch in height, setting forth whether such cheese is "Full Cream," "Half Cream," "Quarter Cream" or "Skimmed," according to the percentage of butter fat therein contained, as provided in section 6. This section shall not apply to Edam, Brickstein, Pineapple, Limberger, Swiss or handmade cheese not made by the Cheddar process.

Sec. 24. It is unlawful for any person to use the box, brand or label of any creamery or dairyman without the consent of the owner; it is unlawful to falsely label any article containing same; it is unlawful to sell or have in possession any article of food, drink or medicine bearing any false label or brand.

Sec. 26. It is a misdemeanor to violate this act, and upon conviction punishable by a fine of not less than \$25 nor more than \$100, or imprisonment in the county jail not less than 30 days nor more than 6 months. Justice courts shall have concurrent jurisdiction in all cases arising under this act.

Sec. 27. Provides for the collection, maintenance and utility of the "Pure Food Fund."

Sec. 28. Milk drawn from cows 15 days next before or 5 days next after parturition, or from cows fed unwholesome food; or any calf that has been slaughtered under the age of four weeks, shall be deemed and declared unclean, impure and unwholesome.

Sec. 29. Repeals the act approved February 16th, 1899, entitled "An act to prevent the production and sale of unwholesome foods and medicines, and to regulate the sale of adulterated foods, drinks, medicines and fertilizers."

Sec. 30. Provides an emergency clause.



COLBURN'S PURPLE RIBBON HIGH GRADE SPECIALTIES

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PURE FOOD PRODUCTS

SPICES AND MUSTARD
FLAVORING EXTRACTS
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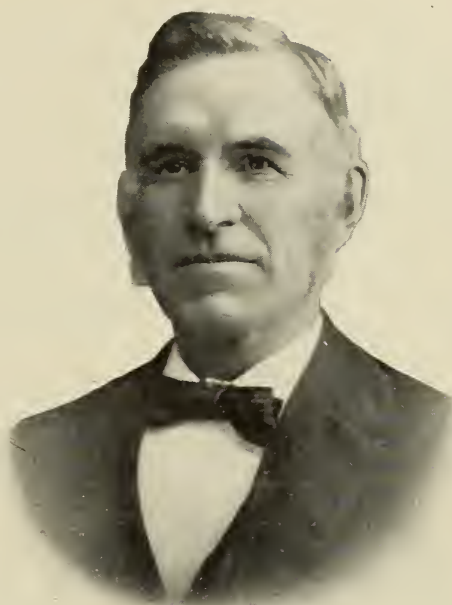
SOLD UNDER GUARANTEE OF PURITY BY THE MANUFACTURERS

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HON. JOHN HAMILTON,
Pennsylvania Secretary of Agriculture.



JESSE K. COPE,
Pennsylvania Dairy and Food Commissioner.



GEO. G. HUTCHINSON,
Chief Clerk Pennsylvania Dairy and Food Commission.

PENNSYLVANIA DAIRY AND PURE FOOD COMMISSION.

PHILIP J. RITTER CONSERVE CO.

PHILADELPHIA, PA., U. S. A.

OVER FIFTY YEARS IN THE BUSINESS OF PREPARING
PURE, WHOLESOME FOOD PRODUCTS.



Preserved Fruits, Jams, Jellies, Fruit Butters, Mince Meat,
Crushed Fruits, Fruit Juices, Fruit Syrup,
Tomato Catsup, Salad Dressing, Salad Oil,
Boston Baked Beans in Tomato Sauce,
Concentrated Soups, German American Finished Soups,
Canned Fruits and Vegetables, Honey, Mustard.

EVERY PACKAGE GUARANTEED

PURE FOOD LAWS OF PENNSYLVANIA.

In the State of Pennsylvania the Dairy and Food Division is a part of the Department of Agriculture. The Department of Agriculture is administered by the Secretary of Agriculture, who receives his appointment from the governor for a four-year term.

There shall be a Deputy Secretary appointed by the governor for four years. The governor may also appoint an Economic Zoologist, a Commissioner of Forestry, and a Dairy and Food Commissioner.

The said Dairy and Food Commissioner is charged with the enforcement of all laws enacted or that may be enacted in relation to the adulteration or imitation of dairy and food products. He is authorized and empowered to appoint and fix the compensation of such assistants, agents, experts, chemists, detectives and counsel as may be deemed by him necessary for the proper discharge of the duties of his office, and for the discovery and prosecution of violations of the laws.

The staff of the Dairy and Food Division is as follows:

John Hamilton, Secretary of Agriculture.

Jesse K. Cope, Dairy and Food Commissioner, West Chester.

George G. Hutchinson, Chief Clerk, Warrior's Mark.

Mary E. Seaman, stenographer, Harrisburg.

Ross R. Seaman, messenger, Harrisburg.

THE FOLLOWING ARE THE ATTACHES OF THE DIVISION AGENTS:

John M. Sparks, 1513 Brown st., Phila.

P. H. Shields, 709 So. Sixth st., Phila.

John M. Hale, Jenkintown.

Robert M. Simmers, Phoenixville.

H. L. Banzhoff, Philadelphia.

John R. Lehman, Warrior's Mark.

Daniel Monroe, Coudersport.

James Terry, Home Hotel, Pittsburg.

E. D. Miller, Home Hotel, Pittsburg.

G. H. Wilcox, Home Hotel, Pittsburg.

F. M. Powell, 5505 Walnut st., Pittsburg.

H. M. Cutshall, Meadville.

George F. Yates, Warren.

A. D. Gould, Eldred.

James McGregor, Indiana.

Stanley J. Stevens, 1320 Marion st., Scranton.

James Foust, Altoona.

Ambrose Little, 1443 N. 19th st., Phila.

ATTORNEYS.

S. J. M. McCarrell, Calder Bldg., Harrisburg.

Charles E. Bartlett, S. E. Cor. Broad and Chestnut sts., Phila.

Charles L. Brown, West End Bldg., Phila.

Thos. C. Hare, Altoona.

T. Carlisle Moore, Bakwell Building, Pittsburg.

CHEMISTS.

Dr. F. T. Aschman, 305 McCance Block, Pittsburg.

Dr. Wm. Frear, State College.

Prof. C. D. Cochran, 514 S. High st., West Chester.

Prof. F. A. Genth, Jr., 103 N. Front st., Phila.

Prof. A. H. Welles, 635 Quincy ave., Scranton.

A. S. Isaacs, 219 Sixth st., Pittsburg.

PART I.

RULINGS ON "THE PURE FOOD LAW" OF JUNE 26, 1895.

1.—All foods manufactured, sold, offered or exposed for sale are held to be represented as pure, unless accompanied by adequate notice to the contrary, in which case they must be distinctly labeled as "mixtures" or "compounds," or as "artificial" preparations.

2.—Food sold as pure must be true to name, of standard strength, quality and purity, and not a compound, mixture or an artificial preparation or imitation.

3.—Where no standard of strength, quality or purity is fixed by law, the standard required shall be that adopted by the highest recognized authorities, such as the United States Pharmacopoeia, or the Association of Official Agricultural Chemists.

4.—No food shall have added to it any substance or ingredient "which is poisonous or injurious to health."

5.—No fraudulent or worthless article having little or no food value, shall be mixed with standard goods or substituted for them, and be sold as food under the label "compound" or "mixture"; but all foods sold under this designation must be composed of substances recognized as "ordinary articles or ingredients of articles of food."

6.—The question of the admissibility of a non-poisonous or harmless foreign substance in a food, may depend upon whether the substance introduced is necessary in order to improve the value or quality of the food, or is fraudulently added as a diluent and cheapener.

7.—No food shall be sold under the name of a substance of which it contains none or only an inconsiderable quantity, and when a name is "coined" therefor such name shall not be suggestive of any substance not contained therein.

WHITMAN'S

Instantaneous

Chocolate



and

Powdered Cocoa



Two products renowned for purity and excellence. Healthful and sustaining beverages for any meal. A cup of delicious chocolate can be made *instantly* by adding boiling water or milk. The cocoa must be boiled with the milk for one or two minutes. You can get nothing better than *Whitman's*.

For sale everywhere.

STEPHEN F. WHITMAN & SON, Philadelphia.

Established 1842.

We IMPORT
the Choicest
Cocoanuts
and Manufacture
Prepared
Cocoanut

That is the WHITEST,
PUREST AND BEST
FLAVORED on the
market. :: :: :: ::

**BAKER'S
COCOANUT**

IS THE ONLY ONE
GUARANTEED FOR

Two Years



THE FRANKLIN BAKER CO., Philadelphia, Pa.

8.—Foods manufactured in Pennsylvania, except where exempt by statute from such requirement, should, for the purpose of identification, be labeled with the name and address of the person or firm manufacturing them. Foods not so marked are regarded with suspicion.

9.—Artificial preparations or imitations shall not be labeled "extracts," as "artificial vanilla extract," etc.

10.—Where such words as "compound," "mixture," "artificially colored," etc., are required upon a label, they shall be in conspicuous places and be printed in bold, clean-faced type in letters as large and conspicuous as any upon the package, and the same designation, both as to substance, size and conspicuousness, shall be printed upon the carton.

11.—The use, in food, of a moderate quantity of coloring matter that is not poisonous or injurious to health, is not prohibited, provided the goods are otherwise pure and of standard quality; except in the case of oleomargarine, milk, cream and distilled vinegar, in which the use of certain colors is prohibited by statute; but if used in foods below the established standard of strength and quality, the words "artificially colored" and "compound" or "mixture" must be printed upon the label.

12.—Articles of food that can be prepared by the use of improved processes, so as to preserve them from decay or change, shall have no preservative added, other than salt, syrup, sugar, saltpetre, spice, vinegar or wood smoke.

13.—When an "extract" is below standard, and yet contains a sufficient quantity of the substance after which it is named to entitle it to be labeled as a "compound" or "mixture," the percentage of its distinguishing ingredient or ingredients should be stated on its label.

14.—Dry mustard must be pure. A preparation of mustard, vinegar and spices may be sold if labeled "prepared mustard." Mustard may also be sold when mixed with vinegar, spices and sufficient starch to secure a mild flavor, if labeled "prepared mustard, compound."

15.—Mixtures of a spice with one or more of its valuable by-products, as pepper with pepper hulls, or pure cloves with cloves from which part of the essential oil has been removed, must be labeled "compound" or "mixture." Spice by-products, themselves possessed of spice value, must be sold under their own, distinctive names. Spice preparations with which any foreign material has been mixed shall not be sold as "compounds" or "mixtures."

16.—Coffee mixed with chicory, wheat, rye, peas, etc., cannot be sold as "coffee compound."—Decision of Attorney General, January 29, 1896. Packages containing such articles may

be sold if they have the name of the adulterant plainly printed on the label.

17.—Candy and confections must be free from inert mineral matter, and not colored with substances poisonous or injurious to health.

17.—The distinctive character of a Baking Powder should be stated on the label, as Cream of Tartar, Alum, Acid Phosphate, etc.

19.—Tin on cans in which food is preserved, and the portion of the metal tops of glass jars which is in contact with food contents, should not contain more than two per centum of lead.

NOTE.—Under the statute a dealer is liable for selling an adulterated article, although he may have no knowledge that the same is adulterated.

A guarantee of purity received from the manufacturer or jobber does not relieve a person handling adulterated goods from liability.

PART II.

ABSTRACT OF STATUTORY REQUIREMENTS RELATING TO CHEESE; DAIRY PRODUCTS IN CHARITABLE OR PENAL INSTITUTIONS; EVAPORATED APPLES AND APPLE PRODUCTS; FRUIT JUICE; LARD; MILK AND CREAM; OLEOMARGARINE; PURE FOOD; RENOVATED BUTTER; VINEGAR, AS PUBLISHED BY DEPARTMENT OF AGRICULTURE.

CHEESE.

Act of 23d of June, A. D. 1897.

Amended 2d of May, A. D. 1901.

1.—Must be the legitimate product of pure, unadulterated milk or cream.—Sec. 1, Act 1897.

2.—No foreign fats or substances can be introduced.—Sec. 1; Act '97.

3.—Must be branded: Full Cream; Three-fourths Cream; One-half Cream; One-fourth Cream; Skimmed Cheese, together with the manufacturer's name and address.—Sec. 2; Act 1897.

Where cheese is manufactured outside of the state, a brand, giving the grade, together with the name and address of the dealer is sufficient.—Decision of Attorney General Oct. 27, 1897.

4.—Percentage of butter fat required.—Sec. 2; Act 1897:

Full cream, 32 per cent.

Three-fourths cream, 24 per cent.

One-half cream, 16 per cent.

One-fourth cream, 8 per cent.

Skimmed cheese, less than 8 per cent.

5.—Full cream cheese shipped out of the state need not be branded.—Amendment May 2, 1901.

6.—"Fancy" cheese, under five pounds in weight, and cottage and pot cheese, are not included in the provisions of this law.—Sec. 3, Act '97.

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SPECIALTIES

Chicago's Pride	Bottled Vinegars
Sour Mash	Chilli Sauce
White City	Horse Radish
Buckeye and	Wine Flavored Mustard
Fulton	and Fancy
CATSUPS	Sweet Pickles

ATMORE'S

MINCE MEAT

AND

PLUM PUDDING

Are made of strictly clean and pure materials. Are preserved with liquor, sugar and spices only. *No chemicals.* Therefore they conform to all Pure Food Laws

ATMORE & SON

PHILADELPHIA, PA.

7. NOTE.—Manufacturers or dealers in cheese violating any of the requirements of the pure food law of June 26, 1895, can also be arrested and punished under its provisions.

DAIRY PRODUCTS IN CHARITABLE AND PENAL INSTITUTIONS.

Act May 23, A. D. 1893.

1.—It is unlawful for any charitable or penal institution to use or furnish to its inmates any article, designed to take the place of butter or cheese derived wholly from pure unadulterated milk or cream.—Sec. 1.

Persons selling substitutes for butter or cheese, not made from pure unadulterated milk or cream, are also liable to prosecution for every such offense.—Sec. 2.

EVAPORATED APPLES AND APPLE PRODUCTS.

Act of July 5, A. D. 1895.

1.—The adulteration of "apple vinegar," "jellies," "cider," "evaporated apples" and "other apple products" is prohibited.—Sec. 1.

2. NOTE.—Persons violating the requirements of this law can also be prosecuted under the provisions of the pure food law of June 26, 1895.

FRUIT JUICE.

Act May 2, A. D. 1901.

1.—No "deleterious" or "poisonous acid" or

other "unwholesome, deleterious or poisonous substance" can be sold or given away as a substitute for the pure, unadulterated and unfermented juice of lemons, limes, oranges, currants, grapes, apples, peaches, plums, pears, berries, quinces, or other natural fruits, under the representation that such preparation is the pure, unadulterated and unfermented juice of any such fruits.—Sec. 1.

2.—No one shall knowingly use any such compound in the mixing, decoction of, or preparation of, food or drink, or any such compound or preparation in the place of, or as a substitute for, the pure unadulterated and unfermented juice of one or more such fruits.—Sec. 1.

LARD.

Act June 8, A. D. 1891.

1.—Lard sold as such must be the pure fat of swine.

2.—Lard not wholly derived from the fat of swine must be sold in packages or wrappers on which is plainly marked on the outside in letters not less than one-half inch in length, the words "Compound Lard."

3. NOTE.—Action can also be brought against persons who sell impure or adulterated lard, under the pure food act of June 26, 1895.

MILK AND CREAM.

Act of 19th April, A. D. 1901.

1.—The addition of coloring matter or preservatives, to milk or cream, is prohibited.—Sec. 1.

2. NOTE.—Action can also be brought against persons who sell impure or adulterated milk, under the pure food law of June 26, 1895
OLEOMARGARINE.

Act of 29th May, A. D. 1901.

1.—Oleomargarine is any substance "made wholly or partly out of any fats, oils or oleaginous substance or compound thereof not produced from pure unadulterated milk or cream from the same, without the admixture or addition of, any fat foreign to the said milk or cream."—Sec. 1.

2.—Oleomargarine "shall be made and kept free from all coloration or ingredients causing it to look like yellow butter."—Sec. 1.

3.—All persons "desiring to manufacture, sell or offer or expose for sale, or have in possession with intent to sell, oleomargarine not made or colored in imitation of yellow butter, must first procure a license so to do, from the Dairy and Food Commissioner."—Sec. 2.

4.—All licenses expire December 31st of each year. Licenses may be granted for a portion of a year upon payment of a proportionate part of the annual fee.—Sec. 2.

5.—License fee for twelve months for a

Manufacturer	\$1,000
Wholesale dealer	500
Retail dealer	100
Restaurant, dining-room or hotel proprietor	50
Boarding house keeper....	10

—Sec. 2.

6.—Wholesale dealers are all persons who shall buy to sell again and make sales in quantities of ten pounds and over.—Sec. 2.

7.—Retail dealers are all persons who sell in quantities of less than ten pounds.—Sec. 2.

8.—License is granted for a specified location only, but may be transferred to another individual proposing to engage in business in the same place on application to the Dairy and Food Commissioner.—Sec. 2.

9.—The license must be exhibited in a conspicuous place, on the walls of the room or store in which the business is conducted.—Sec. 3.

10.—Every person, firm or corporation, before beginning business under this law, shall procure from the Dairy and Food Commissioner a sign or signs clearly setting forth that he, she or they are engaged in the manufacture or sale of oleomargarine; which said sign or signs shall be hung up in a conspicuous place or places on the walls of every room or store in which oleomargarine is manufactured or sold.—Sec. 3.

11.—Every proprietor of a hotel, restaurant,

dining room or boarding house, shall, in addition, have conspicuously placed upon every counter or table, at which food, meals, or refreshments, are served to customers, a placard, plainly printed in letters not less than one-half inch in length, stating that oleomargarine is used and served to customers.—Sec. 3.

12.—Every tub, package or parcel containing oleomargarine shall be distinguished on the outside, in a conspicuous place, by a placard with the word "OLEOMARGARINE" printed thereon; the letters to be not less than one inch long and the placard shall not contain any other words thereon.—Sec. 4.

13.—Upon every open tub, package or parcel containing oleomargarine there shall be displayed, in a conspicuous position, a placard with the word "OLEOMARGARINE" printed thereon in letters not less than one inch long; and when oleomargarine is sold from such tub or package or otherwise at retail, in print, roll or other form, before being delivered to the purchaser, it shall be wrapped in wrappers plainly stamped on the outside thereof with the word "OLEOMARGARINE" printed or stamped thereon in letters one-fourth inch square. The wrapper shall also contain the name and address of the seller and the quantity sold, and no other words thereon, and the said word "OLEOMARGARINE," so stamped or printed on said wrapper, shall not be in any manner concealed.—Sec. 4.

14.—Manufacturers and wholesale dealers in oleomargarine shall keep a book in which every sale and shipment of oleomargarine shall be entered, giving the date of sale and shipment, the quantity, the person to whom sold and shipped, the place to which shipped and the name of the transportation line by which shipped, which book shall be in such form as the Dairy and Food Commissioner shall direct and shall be open to examination by the Dairy and Food Commissioner, his agents, attorneys and representatives.—Sec. 5.

15.—Retail dealers in oleomargarine shall also keep a book, which shall be open to examination by the Dairy and Food Commissioner, his agents, attorneys and representatives, in which shall be entered the date of the receipt of all purchases of oleomargarine by him, stating therein where, when and from whom purchased, and the quantity; said book to be in such form as the Dairy and Food Commissioner shall direct.—Sec. 5.

PURE FOOD LAW.

Act of June 26, A. D. 1895.

1.—The manufacture, sale, offering for sale or selling adulterated food is prohibited.—Sec. 1.

2.—The term "food" as used in this act "shall

include all articles used for food or drink by man, whether simple, mixed or compound.—Sec. 2.

3.—An article shall be deemed to be adulterated within the meaning of this act.

(a) IN THE CASE OF FOOD:

(1) If any substance or substances have been mixed with it, so as to lower or depreciate or injuriously affect its quality, strength or purity.

(2) If any inferior or cheaper substance or substances have been substituted, wholly or in part, for it.

(3) If any valuable or necessary constituent or ingredient has been, wholly or in part, abstracted from it.

(4) If it is an imitation of, or is sold under the name of, another article.

(5) If it consists, wholly or in part, of a diseased, decomposed, putrid, infected, tainted or rotten animal or vegetable substance or article, whether manufactured or not—or in case of milk, if it is the product of a diseased animal.

(6) If it is colored, coated, polished or powdered, whereby damage or inferiority is concealed, or if by any means it is made to appear better or of greater value than it really is.

(7) If it contains any added substance or ingredient which is poisonous or injurious to health: Provided, That the provisions of this act shall not apply to mixtures or compounds recognized as ordinary articles, or ingredients of articles of food, if each and every package sold or offered for sale be distinctly labeled as mixtures or compounds, and are not injurious to health.—Sec. 3.

RENOVATED BUTTER.

Act 10th of July, A. D. 1901.

1.—“Taking original packing stock and other butter and melting the same so that the butter oil can be drawn off, mixed with milk or skimmed milk or other material, and by emulsion, or other process, produce butter, and butter produced by any similar process and commonly known as boiled or process butter,” shall be known and designated as “Renovated Butter.”—Sec. 1.

2.—Persons desiring to engage in the business of manufacturing or selling renovated butter are required to take out a license, to be issued by the Dairy and Food Commissioner.—Sec. 2.

3.—All licenses expire December 31st of each year. Licenses may be issued for a portion of a year upon payment of a proportionate part of the license fee.—Sec. 2.

4.—The license fee for twelve months is for a

Manufacturer	\$1,000
Wholesale dealer	500
Retail dealer	100
Restaurant, dining-room or hotel proprietor	50

Boarding house keeper 10

—Sec. 2.

5.—Wholesale dealers are all persons who sell in packages of ten (10) pounds or over.—Sec. 2.

6.—Retail dealers are all persons who sell in quantities of less than ten (10) pounds.—Sec. 2.

7.—Hotel and dining room proprietors and restaurant and boarding house keepers are regarded as dealers.—Sec. 2.

8.—The license is for a specified location and must be exposed to view in a conspicuous place.—Sec. 2.

9.—Renovated butter cannot be sold from wagons on the streets or from house to house.—Sec. 3.

10.—A sign or signs must be displayed, setting forth that Renovated Butter is manufactured or sold and posted in a conspicuous place.—Sec. 4.

11.—A placard also must be placed in a conspicuous place on every counter or table where meals are served to customers, by every restaurant or boarding house keeper or hotel or dining room proprietor, stating that “Renovated Butter” is used or served to customers.—Sec. 4.

12.—A stencil to be furnished by the Dairy and Food Commissioner, to every manufacturer and wholesale dealer in renovated butter, giving the number of the license and the name and address of the holder thereof, shall be used in stamping every package before being sold by the manufacturer or wholesale dealer to the retailer.—Sec. 4.

13.—Every tub, package or parcel containing renovated butter shall be distinguished on the outside, in a conspicuous place, by a placard with the words “Renovated Butter” in letters not less than one-half inch long, and the placard shall not contain any other words, printing or device thereon.—Sec. 5.

14.—Upon every open tub or package shall also be displayed a sign or placard, with the words “Renovated Butter” printed thereon in letters not less than one-half inch long, and when renovated butter is sold from such package, before being delivered to the purchaser, it shall be wrapped in a wrapper plainly stamped on the outside thereof with the words “Renovated Butter” in letters one-fourth inch square, and the wrapper shall contain no other words or printing thereon, and the words shall be kept in plain view.—Sec. 5.

15.—Manufacturers and wholesale dealers in renovated butter shall keep a book in which every sale and shipment shall be entered, giving the quantity and person to whom sold and shipped, the place to which shipped and the name of the transportation line by which

shipped, which book shall be open to examination by the Dairy and Food Commissioner, his agents, attorneys and representatives.—Sec. 6.

16.—Retail dealers also shall keep a book, which shall be open to the inspection of the Dairy and Food Commissioner, or his agents, in which shall be entered the date of the receipt of all purchases of renovated butter made by him, and stating where, and from whom purchased, and the quantity.—Sec. 6.

VINEGAR.

Act of June 18, A. D. 1897.

Amended May 21, A. D. 1901.

1.—Vinegar sold as "apple" or "cider" vinegar must be the legitimate product of pure apple juice. No foreign substance, drugs or acids can be introduced.—Sec. 1; Act 21st May, 1901.

2.—Vinegar branded "Fruit Vinegar" must be made wholly from grapes, apples or other fruits.—Sec. 1; Act 21st May, 1901.

3.—Vinegar made by "fermentation" or "oxidation" not distilled shall be branded "fermented vinegar," with the name of the fruit or substance from which it is made.—Sec. 2; Act 21st of May, 1901.

4.—Vinegar made wholly or in part from distilled liquor must be branded "distilled vinegar."—Sec. 2; Act 21st of May, 1901.

5.—Distilled vinegar must be free from coloring matter and must contain not less than four per centum, by weight, of absolute acetic acid.—Sec. 2; Act 21st of May, 1901.

6.—All vinegar must be made from the fruit or grain from which it is represented to be made and shall contain no foreign substance, except an amount of spice necessary for flavoring, provided the spices do not color the vinegar.—Sec. 2; Acts 21st of May, 1901.

PART III.

FOOD DEFINITIONS AND STANDARDS. MEAT.

1.—Meat is the dressed and properly prepared edible parts of animals, in good health at the time of slaughter, and of the kind designated.

2.—Refrigeration is the only method of preservation allowable for fresh meats.

3.—Canned meats shall contain no preservative other than salt, sugar and salt-petre, except smoked meat, which contains the products added by the process of smoking.

4.—Pickled and salted meats shall contain no preservatives other than salt, sugar, salt-petre, vinegar, spices or other condiments.

5.—Sausage must be prepared from meat of the quality above indicated, and must contain no preservatives other than sugar, salt, salt-petre, smoke and condiments; artificial color must not be introduced without notice of the fact.

6.—Meat extracts must be true to name. No antiseptic, other than salt, may be used.

MILK AND BUTTER.

1.—Milk is the normal secretion, taken by complete milking from the udder of a healthy cow, properly fed and kept. Colostral milk is excluded.

2.—Cream shall contain not less than 15 per centum of butter fat.

3.—Skim milk, except in cities for which a different standard has been established by law, shall contain not less than 8.5 per centum of total solids not fat, and shall be free from all kinds of additions.

4.—Buttermilk. The acid fluid of milk or cream left after the removal of the butter fat by churning. It must be free from preservatives other than the salt employed in the manufacture of butter.

5.—Condensed milk shall be prepared from pure and wholesome normal milk, by removal of water by evaporation; sugar may be added, but no other substances.

6.—Butter must contain not less than 83 per centum of butter fat.

FRUIT PREPARATIONS.

1.—Fruit butter must be prepared wholly from the designated fruit without addition of any substance other than cider, glucose or cane sugar and spices.

2.—Fruit preserves, jams, marmalades and jellies must be prepared from the designated fruits and cane sugar, with or without the addition of glucose, but without the addition of any other substance.

3.—Fruit juice, fresh, is the juice, or pulp, or both, of fresh, sound fruit of the variety specified on the label, without addition of any other substance.

4.—Fruit juice, sweet, is fresh fruit juice to which sugar or glucose has been added.

SACCHARINE PRODUCTS.

1.—Molasses is that part of the cane juice, or sugar solution, that is left upon the removal of part of the sugar. It must contain no added substance.

2.—Syrup is the purified or evaporated juice of the cane or maple sap, insufficiently evaporated to cause crystallization of the sugar. It must contain no added substance.

3.—Glucose is the solid, sweet, purified substance obtained by the action of acid on starch. It must be free from intermediate products.

4.—Glucose syrup is syrup obtained by the action of acid on starch.

5.—Honey is the nectar of flowers and saccharine exudations of plants, gathered by bees. Honey made by feeding bees sugar, glucose, syrup or other saccharine substances is not considered pure honey. The mixing of sugar,

syrup, glucose or other similar substance with honey is considered an adulteration.

SPICE AND CONDIMENTS.

1.—Allspice or pimento is the dried fruit of *Pimenta officinalis*.

2.—Black pepper is the dried, immature berry of *Piper nigrum*. Pepper shells, pepper dust and other by-products from pepper are adulterants.

3.—White pepper is the dried mature berry of *Piper nigrum*, from which the outer, or the outer and inner coatings have been removed.

4.—Cayenne pepper, red pepper, is the dried fruit of *Capsicum fastigiatum*, *C. frutescens*, *C. baccatum* or other small-fruited species of *Capsicum*.

5.—Cinnamon is the dried bark of any species of the genus *Cinnamomum*, from which the outer layers may or may not have been removed.

6.—Ground cinnamon or ground cassia: A powder consisting of cinnamon, cassia buds or a mixture thereof.

7.—Cloves are the dried flower buds of *Jambosa caryophyllus*; should contain no more than 5 per cent of clove stems.

8.—Ginger is the washed and dried or decorticated and dried rhizome of *Zingiber officinale*. Ground ginger shall not contain any added substance, but whole ginger coated with carbonate of lime may be sold as limed or bleached ginger.

9.—Horseradish, the root of *Cochlearia armoracia*; the grated or ground horseradish may be mixed with vinegar, but with no other foreign material.

10.—Mace is the dried arillus of *Myristica fragrans*; Macassar or Papua mace the dried arillus of *M. argeneta*, should be sold under its own name; Bombay mace, *M. Malabarica*, has no spice value and is therefore an adulterant.

11.—Mustard seed, the seeds of *Sinapis alba* (white mustard). *Brassica nigra* (black or brown mustard). *S. juncea* (sarepta mustard).

12.—Mustard: Ground, is the powdered mustard seed of one or more varieties, with or without the removal of the hulls and a portion of the oil, but without addition of any other substance.

13.—Nutmeg is the dried seed of *Myristica fragrans*, deprived of its testa; ground nutmegs should contain no added substance; "liming" whole nutmegs is not to be considered an adulteration.

FLAVORING EXTRACTS.

1.—Lemon extract shall contain at least five per centum of the pure oil of lemon dissolved in alcohol.

2.—Vanilla extract is the solution prepared by the maceration of the vanilla bean with alcohol and sugar.

TABLE BEVERAGES.

1.—Tea is the dried leaves of *Thea sinensis* or other species of *Thea*, without addition of the leaves of other plants or of coloring materials injurious to health, and without having been exhausted by steeping or other means.

2.—Coffee is the fruit of *Coffea arabica*. "Roasted coffee" is coffee that has been subjected to dry heat to develop the aroma.

3.—Chocolate is the ground pulp of the roasted seeds of *Theobroma cacao*, from which none of the fat has been removed.

4.—Cocoa is the ground pulp of the roasted seeds of *Theobroma cacao* from which a part of the fat has been removed, but to which nothing except the usual flavoring material has been added.

5.—The addition of sugar to either chocolate or cocoa should be indicated on the label.

PURE FOOD LAWS OF RHODE ISLAND.

The Pure Food Laws of the State of Rhode Island are to be found under the head of Public Health Laws, Chapters 68, 138, 146, 147, 148, Sec. 6 of Chapter 98, Sections 4, 5 and 6 of Chapter 151 and Sec. 10 of Chapter 152, Revised Statutes of Rhode Island. The manner of their enforcement, except where the same come within the jurisdiction of two factory inspectors appointed by the governor, is entirely a subject of local regulation. Under these laws municipal boards are granted authority to provide for the inspection of articles of food and for the ingredients that enter into the production thereof. The factory inspectors appointed

by the governor are charged with the prosecution of all violations against the chapters designated as above noted.

The present board of health consists of the following members:

Albert G. Sprague, M. D., President.

Samuel M. Gray, C. E.

Alexander B. Briggs, M. D.

Rev. George L. Locke.

John C. Budlong, M. D.

Rufus E. Darrah, M. D.

Gardner T. Swarts, M. D., Secretary.

A DIGEST OF THE LAWS PROVIDING AGAINST ADULTERATION OF FOOD STUFFS IS AS FOLLOWS:

MILK.

Sec. 1. Milk shall be sold by wine measure, to be sealed by the sealer of weights and measures of the town where the person using the same shall reside, or where such milk shall be measured for use. Every person violating this section shall forfeit \$10 for each offense.

Sec. 2. The mayor and aldermen of any city and the town council of any town may annually elect one or more inspectors of milk therein. Every inspector shall give notice of his election by publishing notice thereof for two weeks in some newspaper published in the town or city for which he shall be appointed, or in case no newspaper is published therein, by posting such notice in two of the most public places in such city or town; provided, the mayor and aldermen of the city of Providence shall annually in the month of August elect such inspectors of milk and may fill vacancies.

Sec. 3. Every inspector of milk shall have an office and book for the purpose of recording the names and places of business of persons engaged in the sale of milk within the limits of his town. He may enter any place where milk is kept for sale or stored and examine all carriages used in the conveyance thereof, and whenever same appears adulterated he shall cause it to be analyzed and preserve the record of such analysis as evidence; a certificate of the result sworn to by the analyst shall be admissible as evidence in prosecutions. The mayor and aldermen shall fix the compensation of the inspectors.

Sec. 4. Whenever the inspectors of milk shall have reason to believe that any adulterated product of food is being sold or kept for sale contrary to law, they shall take at least two specimens as samples thereof, which, if solids, shall not exceed in weight one pound each, or, if liquid, not to exceed in measure one pint each. Samples shall be taken in the presence of the owner or his agent, and be sealed and labeled in the presence of said owner or agent, said labels to state the kind of provision or food and the name of the seller. Said inspector shall then deliver one of said samples to such owner or agent.

Sec. 5. Any milk dealer who shall neglect to cause his name and place of business to be recorded in the inspector's book, and his name to be legibly and conspicuously placed and constantly kept upon all carriages and vessels used in the conveyance of milk or in the sale thereof; and whoever being engaged in the business of selling milk and conveying the same for sale shall neglect to renew such record annually between the first day of February and the first day of March, shall forfeit \$20 for the first offense and \$50 for each subsequent offense.

And whoever offers for sale milk produced from cows fed upon refuse of distilleries, or any substance deleterious to the quality of the milk, or milk produced from sick or diseased cows, shall be fined \$20 for the first offense, and \$50 for each subsequent offense; and whoever, in the employment of another, violates this section shall be held equally guilty with the principal.

Sec. 6. Prohibits the sale or exchange of adulterated milk or milk into which water or any foreign substance has been added.

Sec. 7. Every person who shall sell, exchange or deliver milk from which the cream or any part thereof has been removed, or which shall not contain $2\frac{1}{2}$ per cent of milk fat, shall distinctly mark in letters not less than one inch in length in a conspicuous place above the center and upon the outside of each vessel, can or package containing such milk, the words "skimmed milk," and such milk shall only be sold or retailed out of the can, vessel or package so marked.

Sec. 8. In all prosecutions under sections 6 and 7 of this chapter if the milk shall be shown upon analysis to contain more than 88 per cent of watery fluids, or to contain less than 12 per cent of milk solids, or less than $2\frac{1}{2}$ per cent of milk fat, it shall be deemed adulterated.

Sec. 9. For a violation of sections 6, 7 and 8 the penalty is for the first offense \$20, and for each subsequent offense \$20 and imprisonment in the county jail for 10 days.

Sec. 10. Every inspector of milk shall institute complaints on the information of any person producing satisfactory evidence.

Sec. 11. Every inspector of milk shall cause the provisions of this chapter to be published in his town at least three times in some newspaper published in said town, or some newspaper in the county in which the town is situated.

Sec. 12. Every inspector of milk shall cause the name and place of business of all persons convicted under this chapter to be published in two newspapers published in the town or county where the offense shall have been committed.

Sec. 13. Any chief of police or inspector of milk or special constable as the town council or board of aldermen of any town or city may appoint may make complaints and prosecute for violations within the town or city wherein they are appointed or elected of the provisions of this chapter.

CHAPTER 138.

SALERATUS, SODA AND CREAM OF TARTAR.

Sec. 1. The city council of Providence shall, and the town council of the several towns may,

appoint an inspector of saleratus, bicarbonate of soda and cream of tartar for said cities and towns respectively.

Sec. 2. Every inspector shall when requested test any article presented to him for inspection, and give a certificate to any person applying therefor whether said article be impure or adulterated and for every such certificate he shall be entitled to the sum of \$10.

Sec. 3. Every inspector shall when requested make an analysis of any article presented for that purpose, and shall give his certificate to any person applying therefor of the result of such analysis, for which certificate he shall be entitled to the sum of \$10.

Sec. 4. Every person who shall sell saleratus, bicarbonate of soda, or cream of tartar adulterated or impure shall be fined \$20 together with the costs of testing and analyzing such article; one-half of said fine to go to the use of the city or town where the sale is made, and one-half thereof, together with the costs of testing and analysis of such impure article shall be paid to the person who shall sue for the same.

CHAPTER 146.

BUTTER, POTATOES, ONIONS, BERRIES, NUTS AND SHELLED BEANS.

Sec. 1. Every person who shall make or bring into the state any butter firkins or tubs shall brand or mark the same with the weight thereof and with the initial letters of his name, in a plain and durable manner before offering the same for sale.

Sec. 2. Prohibits the sale of butter not branded or marked as aforesaid.

Sec. 3. Every person who shall sell butter before the same shall be branded or marked as herein required or in any firkin or tub which shall weigh more than marked or branded on it, allowing two pounds additional for the brine absorbed by the same, shall forfeit \$5, unless there be a special contract concerning the kind, quantity and quality of the article sold.

Sec. 4. Every person who shall sell any article or substance in semblance of butter not the legitimate product of the dairy and not made exclusively from milk and cream, but into which the oil or fat of animals not produced from milk enters as a component part, or into which melted butter or any oil thereof has been introduced to take the place of cream, shall distinctly and durably stamp, brand or mark upon the top and sides of every tub, firkin or box or package of such article or substance the word "Oleomargarine" in letters at least one-half inch in length. In the case of retail sale of such article or substance in parcels the dealer shall in all cases deliver therewith to the purchaser a written or printed label bearing the plainly written or printed word

"Oleomargarine," and every sale of such article or substance not so stamped, branded, marked or labeled shall be unlawful; and no action shall be maintained in any of the courts of the state to recover on any contract for sale of any such article or substance not so stamped, branded, marked or labeled.

Sec. 5. Provides a penalty for a violation of this chapter of a fine of \$100 for each offense; one-half thereof to the use of the complainant, and one-half thereof to the use of the state; on the trial of such offense proof of the sale or offer for sale or of exposure for sale shall be evidence of knowledge of the character of the article sold, offered for sale or exposed, and of knowledge that the same was not marked, branded, stamped or labeled as required by this chapter.

Sec. 6. In the sale of potatoes by weight the same shall be estimated at and after the rate of 60 pounds per bushel.

Sec. 7. In the sale of onions and of all other root crops the same shall be estimated at and after the rate of 50 pounds per bushel.

Sec. 8. Nuts and shelled beans and all kinds of berries whenever sold by measure shall be sold by dry measure. Any person who shall sell nuts or shelled beans or any kind of berries by any measure other than dry measure shall be fined not exceeding \$20, one-half thereof to the use of the town or city in which the offense shall have been committed, and one-half thereof to the complainant.

CHAPTER 148.

VINEGAR.

Sec. 1. No person shall sell, exchange, or have in his possession as cider vinegar any adulterated vinegar, or label, brand or sell as cider vinegar and vinegar not made exclusively from apple cider.

Sec. 2. All vinegars shall be without artificial coloring matter, and shall have an acidity equivalent to the presence of not less than $4\frac{1}{2}$ per cent by weight of absolute acetic acid, and in cases of cider vinegar shall contain in addition not less than 2 per cent by weight of cider vinegar solids upon full evaporation at the temperature of boiling water; and if any vinegar contains any artificial coloring or less than the amount of acidity, or in the case of vinegar if it contains less than the above amount of acidity or of cider vinegar solids, it shall be deemed to be an adulteration within the meaning of this chapter.

Sec. 3. Inspectors of milk or such other officers as town councils may appoint shall make complaint for all violations of this chapter, and shall not be required to give security for costs; and for the services required of them shall receive compensation to be fixed by the council; compensation of inspectors of milk to

be fixed at a sum not exceeding 25 cents for each barrel, and to be paid by the person having such inspection made.

Sec. 4. Every inspector or other officer appointed as hereinbefore provided may enter any place where vinegar is stored or kept for sale, and examine all carriages used in the conveyance of vinegar; and whenever he has reason to believe any vinegar found by him has been adulterated he shall take specimens thereof for analysis and the result of such analysis shall be preserved as evidence. A certificate of such result sworn to by the analyst shall be admissible in evidence in all prosecutions hereinunder.

Sec. 5. Provides a fine not exceeding \$100 for a violation of the provisions hereof.

CHAPTER 151.

LIQUORS.

Sec. 4. No person shall sell any impure or adulterated spirituous or intoxicating liquors, nor shall any person sell or keep for sale any liquors of quality inferior to what the same are represented to be.

Sec. 5. Provides that any person violating the preceding section shall be fined not less than \$100 nor more than \$300 or be imprisoned in the state work house or house of correction for a period not exceeding three months.

Sec. 6. Every person offering for sale or selling any spirituous or intoxicating liquors adulterated with any poison or deleterious ingredients injurious to health shall be fined not less than \$300 nor more than \$500 or be im-

prisoned in the state work house or house of correction for not less than 3 months nor more than 6 months, and upon a second conviction of this or any preceding section of this chapter the person convicted shall be both fined and imprisoned.

CHAPTER 98.

DISEASED CATTLE.

Sec. 6. Every person who shall sell any cattle or other domestic animals or any part thereof known to him to be affected with any contagious disease or any disease dangerous to public health, or who shall sell or offer for sale any milk from any such cattle or domestic animal, shall be fined not exceeding \$1,000, or be imprisoned not exceeding two years, or both.

CHAPTER 152.

MEDICINES AND DRUGS.

Sec. 10. Every person who shall knowingly adulterate or cause to be mixed any foreign or inert substance with any drug or medical substance, or any compound or medicinal preparation recognized by the pharmacopoeia of the United States or other countries as employed in medicinal practice with the effect of weakening or destroying its medicinal power, or who shall sell the same knowing it to be adulterated, shall, in addition to the penalties prescribed in section 7 of this chapter, forfeit to the use of the state the article so adulterated found in his possession, and shall be deprived of the right to practice as a pharmacist in this state. The State Board of Pharmacy shall have the right to make investigations under this section.

PURE FOOD LAWS OF SOUTH CAROLINA.

The State of South Carolina has no dairy or food commissioner. The State Board of Health has supervisory powers over the laws relative to the adulteration of articles of food or drink. Said Board may adopt such measures as it may deem necessary to facilitate the enforcement of such laws, and may appoint inspectors, analysts and chemists, who shall be subject to its supervision and removal for the purpose of carrying said laws into effect.

The State Board of Health and those connected with the enforcement of these laws, is as follows:

EXECUTIVE COMMITTEE.

T. Grange Simons, M. D., Chairman, Charleston.

A. A. Moore, M. D., Camden.

James Evans, M. D., Florence.

W. H. Nardin, Anderson.

Chas. M. Rees, M. D., Charleston.

George M. Deen, M. D., Spartanburg.

Robert Wilson, M. D., Charleston.

Hon. G. Duncan Bellinger, Attorney-General.

Hon. J. P. Derham, Comptroller-General.

James Evans, Secretary, Florence.

A digest of the laws on this subject:

Revised Statutes of South Carolina, 1893, vol. 2, section 266, provides that whoever shall knowingly sell, offer or expose for sale or possess with intent to sell, any kind of meat or vegetables or fruit or other article of provisions, whether for food or drink, that are diseased, corrupted or unwholesome for food or drink, or shall fraudulently adulterate, or cause to be adulterated, for the purpose of sale, or possess with intent to sell any article or kind of food or drink so adulterated, shall be guilty of a misdemeanor and punished by a fine not exceeding \$100 or imprisonment not exceeding thirty days, and the article so adulterated shall be forfeited and destroyed.

SESSION LAWS OF 1896, PAGE 214.
CANDY.

Sec. 1. Provides that no person shall manufacture for sale or sell any candy adulterated by the admixture of terra alba, barytes, talc or any other mineral substance, or by poisonous colors or flavors, or other ingredients deleterious to health.

Sec. 2. A violation of this act is punishable by a fine not exceeding \$100 nor less than \$50. The candy so adulterated shall be forfeited and destroyed.

PAGE 215.
MILK.

Sec. 1. Provides it is unlawful to sell or expose for sale, or deliver for domestic use, or to be converted into any product of human food, any unclean, impure, unwholesome, adulterated or skimmed milk, or milk from which has been held back what is known as "strippings," or milk taken from an animal having disease, sickness, ulcers or abscesses; provided this section shall not prohibit the sale of buttermilk or skimmed milk when sold as such.

Sec. 2. For the purposes of this act milk which is proven by any reliable test or analysis to contain less than three per cent of butter fat, and eight and a half per cent of solids other than butter fats, shall be regarded as skimmed milk.

Sec. 3. Every article, substance or compound other than that produced wholly from pure milk or cream, made in semblance of butter or cheese, and designed to be used as a substitute of butter or cheese, made from pure milk or cream, is hereby declared to be imitation butter or imitation cheese as the case may be. Provided, the use of salt, rennet and harmless coloring matter for coloring the product of pure milk or cream shall not be construed to render such product an imitation.

Sec. 4. No person shall coat, powder or color with annatto, or any coloring matter whatever, any substance designed to be used as a substitute for butter or cheese, whereby such substitute shall be caused to resemble butter or cheese, the product of pure milk or cream.

Sec. 5. No person shall combine any animal fat or vegetable oil, or other substance with butter or cheese or combine with butter or cheese, or with animal fat or vegetable oil, or combination of the two, or any other substance, any annatto or other coloring matter for the purpose or with the effect of imparting thereto a yellow color so that such substance shall resemble genuine yellow butter or cheese, nor introduce any such coloring matter or any such substance into any of the ingredients of which such substitute may be composed. Provided, nothing in this act shall be construed to prohibit the use of salt, rennet or harmless color-

ing matter for coloring the products of pure milk or cream.

Sec. 6. No person shall, by himself or employe, produce or manufacture, sell or keep for sale, any imitation butter or imitation cheese made in violation of this act, whether such imitation shall have been made in this state or elsewhere. Provided, this act shall not be construed to prohibit the manufacture and sale of imitation butter, or imitation cheese under the regulations hereinafter provided, not manufactured or colored as herein prohibited.

Sec. 7. Every person who lawfully manufactures any substance designed to be used as a substitute for butter or cheese, shall mark by branding, stamping or stenciling on the top and sides of each tub, box or other vessel in which said substitute shall be kept, or in which it shall be removed from the place where produced, in a clear and durable manner, in the English language, the words "Substitute for butter," or "Substitute for cheese," as the case may be, in printed letters in plain Roman type, each of which shall be not less than one inch in height and one-half inch in breadth.

Sec. 8. No person shall possess or control any substance designed to be used as a substitute for butter or cheese unless the tub, box or other vessel containing same be marked as provided in section 7; provided, that this section shall not apply to a person having such imitation substance in his possession for actual consumption of himself or family.

Sec. 9. No person, by himself or otherwise, shall sell or offer for sale, any imitation butter or cheese under the pretense that same is genuine butter or cheese.

Sec. 10. No keeper or proprietor of any hotel or restaurant shall knowingly use or serve therein, either as food or for cooking purposes, any imitation butter or cheese as defined in section 3 of this act, unless such keeper, proprietor or other persons, shall keep constantly posted in a conspicuous place, in the room where such imitations shall be served, so that the same may be easily seen and read by any person in such room, a white placard, not less than ten by fourteen inches in size, on which shall be printed in the English language, in plain black, Roman letters not smaller than one inch in height and one-half inch in width, the words "Imitation butter used here," or "Imitation cheese used here," as the case may be. Said card shall contain no other words.

Sec. 11. A violation of this act is a misdemeanor, punishable by a fine not to exceed \$100, nor less than \$10. One-half of said fine to go to the informer of such offense.

Sec. 12. The sworn certificate of the chemist of the Clemson Agricultural College of South Carolina of his analysis of a suspected

sample, shall be recognized in all courts of the state as *prima facie* evidence of such analysis and the character of such sample. Approved the 9th day of March, 1896.

SESSION LAWS OF 1898, PAGE 803. INSPECTION OF FOOD, DRUGS AND LIQUORS.

Sec. 1. Provides no person shall within this state manufacture, brew, distill or offer for sale, or sell any articles of food, drugs, spirituous, fermented or malt liquors, which are adulterated within the meaning of this act. Every person violating this act shall be deemed guilty of a misdemeanor and punished by a fine not exceeding \$50 or imprisoned not exceeding fifteen days for the first offense and not exceeding \$100 or imprisonment for thirty days, or both, for each subsequent offense.

Sec. 2. The term "food" as used in this act shall include every article used for food or drink by man, including all candies, teas, coffees and spirituous, fermented and malt liquors. The term "drug" as used herein shall include all medicines for internal or external use.

Sec. 3. An article shall be deemed to be adulterated within the meaning of this act:

(a) In the case of drugs:

1. If, when sold under or by a name recognized in the United States Pharmacopoeia, it differs from the standard of strength, quality or purity laid down therein.

2. If, when sold under or by a name not recognized in the United States Pharmacopoeia, but which is found in some other Pharmacopoeia or other standard work on materia medica, it differs materially from the standard of strength, quality or purity laid down in such work.

3. If its strength or purity falls below the professed standard under which it is sold.

(b) In the case of food or drink:

1. If any substance has been mixed with it, so as to reduce or lower or injuriously affect its quality or strength.

2. If any inferior or weaker substance has been substituted wholly or in part for the article.

3. If any valuable constituent of the article has been wholly or in part abstracted.

4. If it be an imitation of or sold under the name of another article.

5. If it consists wholly or in part of a diseased, decomposed, putrid or rotten animal or vegetable substance, whether manufactured or not, or in the case of milk, if it is the product of a diseased animal.

6. If it be colored or coated, polished or powdered, whereby damage is concealed, or it is made to appear better than it really is or of greater value.

7. If it contains any added poisonous in-

gredient, or any ingredient which may render it injurious to health; provided, that the said Board of Health may declare from time to time certain articles or preparations to be exempt from the provisions of this act; provided, further, the provisions of this act shall not apply to mixtures or compounds recognized as ordinary articles of food, provided the same are not injurious to health, and are distinctly labeled as mixtures, stating the components of the mixture.

(c) In the case of spirituous, fermented and malt liquors, if it contains any substance or ingredients not normal or healthful to exist in spirituous, fermented or malt liquors, or deleterious to health, when such liquors are used as a beverage or as a medicine, and if it does not conform in respect to strength and purity to that required by the laws of this state.

Sec. 4. It shall be the duty of the State Board of Health to prepare and publish from time to time lists of articles, mixtures and compounds declared to be exempt from the provisions of this act, in accordance with the preceding section. The State Board of Health shall, from time to time, fix the limits of variability permissible in any article of food or drug or compound, the standard of which is not established by any national Pharmacopoeia.

Sec. 5. The State Board of Health shall take cognizance of the interests of public health as it relates to the sale of food, drugs, spirituous, fermented and malt liquors, and the adulteration thereof, and make all necessary inquiries and investigations relating thereto, and for such purposes may appoint inspectors, analysts and chemists, who shall be subject to its supervision and removal. The State Board of Health shall adopt such measures as it may deem necessary to facilitate the enforcement of this act. It shall prepare rules and regulations with regard to the proper method of collecting and examining drugs, articles of food and spirituous, fermented and malt liquors.

Sec. 6. Every person offering or exposing for sale, or delivering to a purchaser any drug or article of food or spirituous, fermented or malt liquors, included hereinunder, shall furnish to any analyst or person appointed hereunder, who shall apply to him for the purpose and tender him the value of same, a sample sufficient for analysis for any such drug or article of food or drink which is in his possession. Whoever hinders, obstructs or in any way interferes with any inspector, analyst or other officer appointed hereunder in the performance of his duty, shall be guilty of a misdemeanor and fined not exceeding \$100 or imprisoned not exceeding sixty days.

DAIRY AND PURE FOOD LAWS OF SOUTH DAKOTA.

The dairy and pure food laws of the State of South Dakota are administered by a Dairy and Food Commissioner appointed by the Governor, whose term of office is two years, at a salary of \$1,200 per annum. He has power to appoint a stenographer, whose salary shall not exceed \$600 per annum. Said Commissioner is required to be a man who has had two years of practical experience in dairying, and also a man versed in dairy science. The South Dakota Dairy and Food Commission was created by the act of the General Assembly, approved March 6th, 1901. The Dairy and Food Commission consists of the following members:

C. P. Sherwood, Dairy and Food Commissioner.

J. H. Hubbard, Assistant and Stenographer.

Hon. John Armstrong, Special Instructor in Institute Work.

A digest of the laws on this subject is as follows:

Sec. 1. The office of Food and Dairy Commissioner for the State of South Dakota is hereby created. Said Commissioner shall be appointed by the Governor, with the consent of the Senate. He shall be a resident of South Dakota, a practical dairyman, and shall have had two years of practical experience in dairying. He shall also be versed in dairy science. His term of office shall be for two years. Said Commissioner may be removed from office for cause, by the Governor. He shall give bonds in the sum of \$5,000.

Sec. 2. It shall be the duty of said Commissioner to enforce all laws that now exist, or may hereafter be enacted, relative to the several articles which are foods, or necessary constituents of foods, manufactured or sold, exposed or offered for sale in this state. He may, in a lawful manner, procure samples of same, and direct the chemist of the Agricultural College, State University or School of Mines to make careful examination of same and report to the Commissioner the result of the analysis of all such foods as are adulterated, impure or unwholesome. Said Commissioner shall make semi-annual reports to the Governor.

Sec. 3. Provides that the Food and Dairy Commissioner shall, so far as practicable, encourage and instruct those desiring him to do so, in the organization of creameries, or cheese factories, by lectures, pamphlets or practical demonstrations, and shall embody in his annual report such facts and statistics in regard to the production, manufacture and sale of dairy products, and enforcement of pure food laws, with such suggestions as he may regard

of public importance in connection therewith.

Sec. 4. Every creamery and cheese factory proprietor shall, on the first day of April of each year, or within thirty days thereafter, be licensed by the Food and Dairy Commissioner to manufacture from pure milk, butter or cheese or both, and shall pay therefor the sum of one dollar for each and every factory owned and operated by said individual. No license shall be sold or transferred. Each license shall record the name of the owner, the place of business, location of factory or skimming station, and number of the same. Each licensee shall, before engaging in the manufacture of butter or cheese, cause the number of the license to be placed conspicuously on the wall, on the inside of said factory or skimming station, and he shall report to said Commissioner on blanks furnished by said Commissioner, the names and postoffice address of all the officers of said factory, including the butter and cheese maker. Any change in the management thereof, during the term of said license, shall be promptly reported to said Commissioner.

Sec. 5. On and after July 1st, 1901, any person who shall operate a creamery or cheese factory in this state in the capacity of a butter-maker or cheese-maker, without having first obtained a license of the Food and Dairy Commissioner, shall be guilty of a misdemeanor, and punished by a fine of not less than \$10 for each day he shall so act.

Sec. 6. The Food and Dairy Commissioner shall issue a license to applicants for butter-maker and cheese-maker authorizing them to operate such factories upon passing satisfactory examination. If the applicant furnishes said Commissioner satisfactory recommendations from the manager or Board of Directors of the factory in which he is employed, of his ability as a butter-maker or cheese-maker, such recommendation may be accepted in lieu of an examination, provided the Food and Dairy Commissioner may cancel said license upon satisfactory proof that the factory authorized to be operated is not operated in compliance with the provisions of this act.

Sec. 7. The salary of the Dairy and Food Commissioner shall be \$1,200 per annum, payable monthly. He shall have power to appoint a stenographer whose salary shall not exceed \$600 per annum, payable monthly.

Sec. 8. It is the duty of the chemist or chemists regularly employed at the State Agricultural College, State University or School of Mines, to analyze all samples of food or dairy products submitted by the Food and Dairy



C. P. SHERWOOD,
South Dakota Dairy and Food Commissioner.

Commissioner, and return the result of such analysis to said commissioner. The expenses thereof to be paid out of food and dairy funds.

Sec. 9. Said Commissioner shall be entitled to necessary expenses incurred in the discharge of his duty.

MILK.

Sec. 10. No person shall keep cows in a crowded or unhealthy condition for the production of milk for market, sale or exchange, or to be manufactured into articles of butter or cheese, or feed cows on food that produces impure, unhealthy, diseased or unwholesome milk, nor sell such milk to any person nor deliver milk from diseased cows to any creamery or cheese factory. No person shall manufacture from impure, unhealthy, diseased and unwholesome milk or cream any article of butter or cheese. Whoever violates the provisions of this section shall be guilty of misdemeanor and punished as hereinafter provided.

Sec. 11. No person shall sell, supply or bring to be manufactured to any butter or cheese factory any milk diluted with water, or any impure, unclean, unhealthy, adulterated or unwholesome milk or cream from the same. Whoever violates the provisions of this act shall be guilty of a misdemeanor and punished as hereinafter provided.

Sec. 12. No person shall manufacture, offer or expose for sale, sell, deliver or possess with the intent to sell or deliver, any oleomargarine which contains methyl-orange, butter yellow, orange yellow, annatto, analine dye or any other coloring matter.

Every person who shall offer for sale, sell, deliver or possess, with intent to sell or deliver, any oleomargarine shall keep a white placard not less in size than 10x14 inches in a conspicuous place, where the same may be easily read and seen in the store, room, stand, booth, vehicle or place where such substance is offered or exposed for sale, on which placard shall be printed in black letters not less in size than one and one-half inches square the words "Oleomargarine sold here." And said placard shall contain no other words. No person shall sell or deliver any oleomargarine unless it be done under its true name, and each package has on the upper side thereof the label, on which is printed in letters not less than five-eighths of an inch square the word "Oleomargarine," and in letters not less than one-eighth of an inch square the name and percent of each ingredient therein.

Every proprietor, keeper, manager or person in charge of any hotel, boat, railroad car, boarding house, restaurant, eating house, lunch counter or lunch room, who sells therein or uses for cooking or furnishes oleomargarine, shall display and keep a white placard in a conspicu-

ous place where the same may be easily seen and read, in the dining room or place where such substance is furnished, sold or served, which placard shall be in size not less than ten by fourteen inches, upon which shall be printed in black letters not less than one and one-half inches square the words "Oleomargarine sold here." Said placard shall contain no other words. Such proprietor, keeper or person in charge shall not sell or serve such substance for butter when butter is asked for, or purported to be furnished or served.

The word "Oleomargarine" as used in this act shall be construed to mean any substance not pure butter of not less than 80 per cent of butter fat, which substance is made as a substitute for or to be used as butter.

Any manufacturer who violates the provisions of this section shall be fined not less than one hundred or more than five hundred dollars, and for each subsequent violation in addition to such fine may be imprisoned in the county jail not more than ninety days. Any other person violating this section shall be fined not less than fifty nor more than one hundred dollars.

Nothing in this act shall be construed to prohibit the manufacture or sale of oleomargarine or filled cheese in a separate and distinct form, in such manner as will advise the consumer of its real character, free from coloration or ingredients that cause it to look like cheese or yellow butter.

CHEESE.

Sec. 13. Every person who shall at any cheese factory in this state manufacture cheese, and shall fail at said factory to distinctly and durably stamp on the bandage of every such cheese, and on the box containing the same, in full face capital letters, the grade of same, "SOUTH DAKOTA FULL CREAM CHEESE," "SKIMMED" or "IMITATION" as hereinafter defined, shall be deemed guilty of a misdemeanor and punished as hereinafter provided. Brands and stencils for stamping shall be procured from the food and dairy commissioner.

Sec. 14. Any person who shall efface, cancel or remove any mark or label provided for by this act, with intent to deceive, or violate this act, is guilty of a misdemeanor.

Sec. 15. It is a misdemeanor to manipulate or underread the Babcock test or any other contrivance used for determining the quality or value of milk.

Sec. 16. The doing of anything prohibited and the not doing of anything directed to be done by this act shall be *prima facie* evidence of wilful intent to violate this act.

Sec. 17. The Food and Dairy Commissioner is authorized and directed to issue to each

cheese factory and to each renovating or process butter factory, upon proper application therefor, uniform stencils or brands to be used as provided in sections 12 and 13 of this act. All cheese containing not less than 45 per cent of the butter fat in comparison with the total solids, shall be branded "South Dakota Full Cream Cheese," or cheese into which any foreign fat or oleaginous substance, or the fat from any stale, rancid, foul or impure butter, has been introduced, shall be branded "Imitation cheese."

Sec. 18. Provides that a record be kept of said brand and stencils by the commissioner.

POWERS OF COMMISSIONER.

Sec. 19. The Food and Dairy Commissioner and such persons as he shall authorize for the purpose, shall have access, ingress and egress to all places of business, factories, farms and other places, and cans used in the manufacture of any food and dairy product or imitation thereof. They shall have power and authority to open any package, can or vessel containing any article which may be manufactured, sold or exposed for sale in violation of law, and inspect the contents thereof, and take samples therefrom for analysis upon payment of the market value thereof. All clerks, bookkeepers, express agents, railroad officials and employes of common carriers shall render to them all the assistance in their power, when so requested, in tracing or discovering the presence of any article manufactured in violation of the law. Any refusal on the part of such clerks, bookkeepers, etc., to render such friendly aid, when requested so to do, shall be a misdemeanor. Any person who obstructs the Food and Dairy Commissioner in carrying out the provisions of this section shall be guilty of a misdemeanor.

Sec. 20. The Food and Dairy Commissioner shall have power, in the discharge of his duty, to examine under oath any person whom he may believe has knowledge concerning the sale or use of adulterated food, or any imitation of butter or cheese. He may issue subpoenas.

Sec. 21. It shall be the duty of said Commissioner or his employes to enter all places where they have reason to believe adulterated food, butter or cheese, or imitations thereof, are kept for sale, and take samples of such substances, and cause them to be analyzed and tested. Such analysis or test shall be recorded and preserved as evidence. A certificate of such result, sworn to by the chemist making the analysis, shall be admissible in evidence.

Provided, the person accused may take the deposition or compel the attendance in court of such chemist in manner now provided by law. The expense of such analysis to be determined by the court, not exceeding twenty dollars in

any one case, may be included in the costs of prosecution.

Sec. 22. Every person in charge of any creamery, cheese factory or renovating or process butter factory, shall make a monthly report to said Commissioner not later than the last day of each month, of the product of said factory and such information as said Commissioner may require for the preceding month, ending on the last day thereof. Blanks for such reports shall be procured from the Commissioner.

Sec. 23. Whoever hinders or obstructs the Food and Dairy Commissioner or his employes in the performance of their duty shall be punished by a fine of fifty dollars for the first offense, and one hundred dollars for each subsequent offense, and imprisonment until such fine is paid.

Sec. 24. A violation of sections 5 and 12 of this act is punishable by a fine of not less than ten dollars nor more than fifty dollars, or imprisonment not to exceed thirty days.

Sec. 25. A violation of sections 14, 15, 16, 17 and 20 of this act is punishable by a fine of not less than one hundred dollars nor to exceed five hundred dollars; provided nothing in this act shall be construed to affect merchandise purchased, on hand and for sale prior to the taking effect of this act.

Sec. 26. Provides for the application of fines collected hereunder.

Sec. 27. Provides an appropriation of \$2,500 per annum to be known as the food and dairy fund.

Sec. 28. Adulterated food or imitation cheese or butter shipped into this state, not labeled as provided by the laws of this state, may be seized by the Food and Dairy Commissioner and confiscated by him.

Sec. 29. This act does not apply to farmers and stock growers manufacturing their own milk products into cheese or butter for home consumption and for the market. Provides an emergency clause.

ADULTERATING FOOD. PENAL CODE.

Sec. 7917. Every person who adulterates or dilutes any article of food or drink, drug, medicine, strong, spirituous or malt liquor or wine, or any article useful in compounding either of them, whether one useful for mankind or for animals, with fraudulent intent to offer the same, or cause or permit it to be offered for sale as unadulterated or undiluted, and every person who fraudulently sells, keeps or offers for sale the same as unadulterated or undiluted, knowingly, is guilty of a misdemeanor.

Sec. 7819. Prohibits the sale or otherwise disposing of any article of food, drink, drug or medicine that has become tainted, decayed, spoiled or unwholesome to be eaten or drunk

with intent to permit same to be eaten or drunk by any person or animal. Any violation hereof is a misdemeanor.

POLITICAL CODE.

ADULTERATION OF FOOD OR DRINK.

Sec. 3043. Provides that no person shall knowingly sell any kind of diseased, corrupted, or unwholesome provisions, whether for meat or drink, without making same fully known to the buyer, or fraudulently adulterate for the purpose of sale any substance intended for food, any wine, spirits or other liquor intended for drinking, or color stain or powder, any article of food, drink or medicine, or any article entering into the composition of food, drink or medicine, with any substance, whether injurious to health or not, for the purpose of gain or profit, or sell or offer for sale any article so mixed, colored, stained or powdered, unless same be so manufactured, sold or offered for sale under its true and appropriate name, and a notice that same is mixed or impure, is marked, printed or stamped upon each package, roll, parcel or vessel containing same, so as to be at all times readily visible; or unless the purchaser is informed by the seller of the true name and ingredients of such article of food, drink or medicine, at the time of sale or offering to sell; provided, nothing herein shall be construed to prevent the use of harmless coloring in butter or cheese made from whole milk or cream.

Sec. 3044. Prohibits the killing of calves for food when less than four weeks old and provides for the issuance of a search warrant to search for such meat.

Sec. 3045. Prohibits the sale and manufacture, taking orders for, delivering, keeping in possession, storage, distribution or conveyance with intent to sell any article made wholly or partly out of any fat or oleaginous substance or compound thereof, not produced from unadulterated milk or cream, made in imitation of butter, produced from unadulterated milk or cream; provided, nothing in this act shall prohibit the manufacture or sale of oleomargarine in a separate and distinct form, in such manner as to advise the consumer of its real character, free from coloration or ingredients that cause it to look like yellow butter. Provided, further, that such substance or compounds thereof, or oleomargarine shall be colored pink.

Sec. 3046. A violation of sections 1 and 2 hereof is a misdemeanor, punishable by imprisonment not to exceed six months, nor less than three months, or fined not to exceed \$200 and not less than \$100.

Sec. 3047. Whoever furnishes in any hotel, restaurant, boarding house or other place, oleomargarine or butterine, to any guest or patron

of such hotel, etc., in place of butter, shall notify said guest that the substance so furnished is not butter. A failure so to do is punishable by a fine of not less than ten nor more than fifty dollars for each offense.

Sec. 3048. Provides duties of health officer, sheriff or deputy sheriff to enforce the two preceding sections.

Sec. 3049. For the purpose of the three preceding sections, the terms "Butter" and "Cheese" mean the products usually known by those names, manufactured exclusively from milk or cream or both, with salt and rennet, with or without coloring matter.

PURE FOOD LAW.

Sec. 3050. No person shall manufacture for sale, sell or ship into this state any food jellies, adulterated with any foreign substance within the meaning of this act, unless the can, jar, glass, firkin, tub or package containing the same bear a label or brand in manner or form hereinafter required.

FOOD JELLIES.

Sec. 3051. The term "Food jellies" as used herein shall embrace all substances known and recognized in commerce as "Jellies," for human consumption as food, whether such jellies are prepared of animal or vegetable products.

Sec. 3052. Every firm or person offering, exposing for sale or selling any food jelly or any mixture intended for use as a food jelly, which is adulterated as hereinbefore defined, shall securely affix in a conspicuous place upon the side of every can, jar, glass, tub, firkin or package wherein the same is contained, a label upon the outside and face of which is distinctly printed upon a background of a single color, in the English language, in legible type, no smaller than double pica, the name and location of the factory or the person manufacturing the same, the words "Mixture" and "Adulterated," and immediately following and below these words the common English name, and the quality, grade and net weight of the article claimed to be contained in such can, jar, glass tub, firkin or package.

LARD.

Sec. 3053. No person shall manufacture for sale, possess with intent to sell or sell as lard, any substance not the legitimate and exclusive product of the fat of the hog.

Sec. 3054. Every person who manufactures for sale in this state, possesses with intent to sell, or sells as lard or as a substitute for lard, any mixture or compound which is designed to take the place of lard, made from animal or vegetable fats or oils, or any mixture or compound consisting of part lard in mixture or combination with animal or vegetable oils or fats, unless the same be branded or labeled as hereinafter required, shall be guilty of a mis-

demeanor and subject to the penalties herein-after provided.

Sec. 3055. Every person who manufactures for sale, possesses with intent to sell or sells any substance made in semblance of lard or as an imitation of lard, which is designed to take the place of lard and consists of any mixture or compound of animal or vegetable oils or fats other than hog fat in the form of lard, shall cause the tierce, barrel, tub, pail or package containing same to be distinctly and legibly branded or labeled in letters not less than one inch in length, with the name of the person making the same, together with the location of the manufactory, and the words "Lard substitute," and immediately following the same in letters not less than one-half inch in length, with the names and approximate proportions of the several constituents which are contained in the mixture or compound.

Sec. 3056. Every person who manufactures for sale, possesses with intent to sell, offers or exposes for sale or sells any substance made in semblance of lard, or as a substitute for lard, or designed to take the place of lard, consisting of any mixture or compound of lard with animal or vegetable oils or fats, shall cause the tierce, barrel, tub, pail or package containing the same to be distinctly and legibly branded or labeled in letters not less than one inch in length, with the name of the person making same, and location of the manufactory, and the words "Adulterated lard," and immediately following same in letters not less than one-half inch in length, the names and approximate proportions of the several constituents which are contained in the mixture or compound.

Sec. 3057. Every dealer or person who offers for sale or sells any form or lard substitute, or adulterated lard, as herein defined, shall securely affix to the package containing same, a label upon the outside and face of which is distinctly and legibly printed in letters not less than one-half inch in length, the words "Lard substitute" or "Adulterated lard," and immediately following same, in letters not smaller than long primer, the names and approximate proportions of the several constituents contained in the mixture or compound, and shall furnish the purchaser at the time of sale, a card upon which is distinctly and legibly printed the name of the article and a list of the several components thereof.

Sec. 3058. Every person who manufactures for sale, offers for sale or sells, or serves to guests as the keeper of a hotel, restaurant, dining room or otherwise, articles of food which have been prepared wholly or in part with lard substitutes, or adulterated lard, shall, at the time of sale, furnish the purchaser a card upon

which is distinctly and legibly printed the words, "This food is prepared with lard substitute (or adulterated lard)," or in case no bill of fare is provided, shall constantly keep posted upon each side of the dining room, in a conspicuous position cards distinctly printed in the English language, in letters visible from all parts of the room, the words "Lard substitute (or adulterated lard) is used in the preparation of the food served here." Provided this act shall not apply to cottolene, a compound consisting of a mixture of beef stearine and refined cottonseed oil, when distinctly labeled in letters not less than one-half inch in length, with the word "Cottolene," and the name and location of the person manufacturing same, provided said Cottolene shall not be manufactured in imitation of lard, and shall not contain any substance deleterious to health.

BAKING POWDER.

Sec. 3059. Every person who manufactures for sale or sells any baking powder or any mixture or compound intended for use as a baking powder, under any name or title whatsoever, which shall contain any alum, unless the same be labeled as hereinafter required, shall be guilty of a misdemeanor.

Sec. 3059a. Every person making or manufacturing baking powder or any mixture or compound intended for use as a baking powder which contains alum, shall securely affix to every box, can or package containing same, a label upon the outside and face of which is distinctly printed in legible type no smaller than brierley, heavy, Gothic caps, the name and residence of the manufacturer, and the words "This baking powder contains alum." Any person violating this section shall be guilty of a misdemeanor.

CIDER VINEGAR.

Sec. 3059b. Every person who manufactures for sale, offers or exposes for sale, as cider vinegar, vinegar not the legitimate product of pure apple juice, known as apple cider, or vinegar not made exclusively of apple cider, or into which foreign substances, drugs or acids have been introduced, shall be deemed guilty of a misdemeanor.

Sec. 3059c. Every person manufacturing for sale or selling any vinegar, found upon proper test, to contain any preparation of lead, copper, sulphuric acid or other ingredients injurious to health, shall be deemed guilty of a misdemeanor.

Sec. 3059d. Prohibits the sale, exchange or possession with intent to sell or exchange any adulterated vinegar, or the labeling, branding or selling as cider vinegar, or apple vinegar, any vinegar not the legitimate product of pure ap-

ple juice, or not made exclusively from pure apple cider.

Sec. 3059e. All vinegars shall have an acidity equivalent to the presence of not less than four and a half per cent by weight of absolute acetic acid, and in case of cider vinegar shall contain in addition not less than two per cent by weight of cider vinegar solids, upon full evaporation over boiling water. If any vinegar contains any artificial coloring matter or less than the above acidity, or in the case of cider vinegar, if it contains less than the above amount of acidity or of cider vinegar solids, it shall be deemed adulterated within the meaning of this act. All manufacturers of vinegar or persons who reduce or rebarrel vinegar or handle vinegar in lots of one barrel or more, or ship vinegar into this state, are hereby required to stencil or mark in black figures, at least one inch in length, on the head of each barrel of vinegar bought or sold by them, the kind of vinegar contained therein, with the name of the manufacturer, location of factory, and the standard strength of the vinegar contained in such package or barrel, which latter shall be denoted by the number of grains of pure bicarbonate of potash required to neutralize one fluid ounce of vinegar, any neglect to so mark or stencil each barrel, etc., or any false marking thereof, is a misdemeanor.

PENALTY.

Sec. 3059f. Whoever adulterates, for the purpose of sale, lard with cotton seed oil, or vegetable oil, or terra alba or other substances injurious to health is guilty of a misdemeanor.

HONEY.

Sec. 3059g. It is unlawful for any person to offer for sale or possess with intent to sell, or sell, honey manufactured from or mixed with glucose, sugar syrup of any kind, or any substance not the legitimate product of the honey bee, unless the package containing same is so marked and represented as such, and bearing a label upon the package printed in heavy Gothic capitals, eighteen point, with the name of the person manufacturing or mixing the same, and the name of the substance or material from which it is compounded, manufactured or mixed with.

Sec. 3059h. It is unlawful for any person to possess for sale or sell honey which has not been made by the bees from the natural secretion of flowers and plants, and which has been stored or made by the bees from glucose, sugar syrup, or other material fed to them, unless same is marked and designated as such, bearing a label upon the package printed in heavy Gothic letters, eighteen point, the name of the person who fed the substance or material from which same is stored or made, and the name of

the substance or material from which said honey is stored or made.

SPICES.

Sec. 3059i. The term "Spices and condiments," as used herein, shall embrace all substances known and recognized in commerce as spices, and used as condiments, whether the same be in their natural state or in a form which would result from the grinding, milling, mixing or compounding of the natural product.

Sec. 3059j. No person shall by himself or otherwise, manufacture for sale or sell any spices or condiments to the inhabitants of this state, either ground or unground, adulterated with any foreign substance, within the meaning of this act, unless the package or box containing same, bear a label or brand in manner and form as herein required.

Sec. 3059k. Every person manufacturing, selling or delivering to a purchaser any spices condiment, or mixture or compound intended for use as a spice or condiment, adulterated as hereinbefore defined, shall affix in a conspicuous place upon the side of every box or package containing same, a label upon the outside and face, on which is distinctly printed upon a background of a single color, in the English language, in legible type, not smaller than double pica, the name and location of the factory or person manufacturing the same, the words "Mixture," and "Adulterated" and immediately following and below these words the common English name of the spice or condiment which the box or package contains, also the net weight of the package must be printed in plain type on the label.

CANDY.

Sec. 3059l. Prohibits the manufacturing or selling of any candy, adulterated by the admixture of terra alba, barytes, talc, or other mineral substance, or poisonous colors or flavors, or ingredients deleterious to health.

Sec. 3059m. It is unlawful to sell or possess with intent to sell any article of food adulterated, unless the package containing the same bears a label on the outside and face of said package, upon which is distinctly printed in the English language and in legible type, not smaller than double pica, the name and location of the person manufacturing the same, the word "Adulterated," and immediately following and below this word the common English name of the article of food which the box or package contains.

Sec. 3059n. Possession of any article hereinbefore described as adulterated or mixed, not labeled as required herein, shall be considered *prima facie* evidence that same is kept in direct violation of the provisions of this act.

Sec. 3059o. In all prosecutions under this

act the certificate of the chemist making the analysis, duly certified, shall be *prima facie* evidence of the facts certified.

Sec. 3059q. In all prosecutions under this act costs shall be paid in like manner as provided by law, and it is the duty of the prosecuting attorney to represent and prosecute on behalf of the people. Fines shall be paid into the State Treasury.

Sec. 3059r. A violation of any of the provisions of this act shall be deemed a misdemeanor, punishable by fine of not less than \$25.00 nor more than \$50.00, and costs, or by imprisonment in the county jail not less than thirty days nor more than ninety days.

DIGEST AND RULINGS.

BY C. P. SHERWOOD, FOOD AND DAIRY COMMISSIONER.

In order that the public may become familiar with the law governing the manufacture and sale of foods in the State of South Dakota, this department has issued the following digest of the laws and rulings governing the sale of the various foods:

Baking Powder.—Every can must be labeled with the manufacturer's name and address and also the name of the baking powder. No formula is necessary. If containing alum the following words in type no smaller than brevier heavy gothic caps must be printed on the label: "This Baking Powder Contains Alum." All baking powder must be true to name and contain no injurious substances.

Butter.—Must be made from pure milk and cream and contain no preservative other than salt and no substance injurious to health. May be colored with harmless vegetable butter color. Process or reworked butter must not be labeled or sold for creamery or dairy butter.

Candy.—Must not be adulterated by terra alba, barytis, talc or any other mineral substance, or contain poisonous coloring or flavors or other ingredient deleterious to health.

Catsups.—Must not contain injurious ingredients, coloring matter or preservatives.

Cider.—Must be true to name and contain no artificial coloring, preservatives or substance injurious to health. Apple cider must be made from pure apple juice.

Cheese.—Must be made from pure milk and cream. Each cheese and each box must be stenciled "South Dakota Full Cream Cheese" or "Skim" or "Imitation" as the case may be, and be true to name. Full cream cheese must contain not less than 45 per cent butter fat in comparison with total solids. If less than 45 per cent must be marked skim, and if containing any fat or oleaginous substance or foreign fat or the fat from any stale, rancid or impure butter, shall be branded imitation. Cheese fac-

tories must annually procure license from food and dairy commissioner.

Cottolene.—Must be sold only under its true name. Is legal if containing no substance deleterious to health and not made in imitation of lard.

Liquors.—Must be chemically pure, free from all unnatural or abnormal ingredients and coloring matter. Must not be mixed with other drugs or different kinds of liquor nor with water.

Maple Sugar and Syrups.—Must be true to name, otherwise labeled adulterated.

Milk.—Must be pure and unadulterated. Must not be taken from unhealthy cows or contain preservatives of any description. This applies to milk furnished to creameries or cheese factories, by milk peddlers, or served to guests at any hotel, restaurant or boarding house.

Coffee.—If sold as such must be true to name and not coated to conceal inferiority. May be mixed with chicory or other substance not injurious to health if labeled "coffee compound" and the name of the manufacturer and his address. Coffee substitute composed of cereals in combination, labeled or sold as a substitute for coffee may be sold under a coin name, if the name is not any one of the ingredients contained therein.

Canned Goods.—Must bear the name and address of the packer and contain no poisonous ingredient or injurious coloring matter. The greening of vegetables is prohibited.

Cream of Tartar.—Must be true to name and unadulterated.

Extracts—Flavoring.—Bottles or packages must bear the name of the manufacturer and his address, and the name of the article. Must be pure, or marked or labeled adulterated thus: "Adulterated Lemon," etc. Vanilla flavoring must be true to name and uncolored. Compound extracts must have the name of each ingredient on the label of each bottle or package. Extracts not made from fruit, berries or beans must be labeled "Imitation Lemon" or "Imitation Vanilla," etc., and contain no injurious substances.

Farinaceous Goods.—Must be true to name, pure and unadulterated. If mixed or compounded, must be sold under a coin name.

Honey.—Must be pure, made by bees from the natural secretions of flowers and plants. If made by bees fed on glucose, sugar or syrup, and other materials, must bear a label giving the name of the persons who fed or caused to be fed the substance, the name of the substance from which the said honey was stored or made. Honey mixed with glucose, sugar, syrup or any other substance, and not the legitimate product of the honey bee, shall bear a label giving the

name and address of the manufacturers and the name of the substances from which it is compounded.

Jellies.—This embraces all foods and preparations of foods known as jellies whether prepared from animal or vegetable products. They must in all cases be pure and true to name, otherwise they must be labeled with the name and address of the manufacturer and the word "mixture" or "adulterated" preceding the name of the article and the grade and net weight of the article contained in the package. No preservative or artificial coloring matter is allowed.

Lard.—This embraces the legitimate and exclusive product of the fat of the hog. Adulterated lard may be sold if the package bears a label giving the name and address of the manufacturers and the words "adulterated lard," and in large type the name and approximate proportions of the several constituents. Parties buying adulterated lard or lard substitute must also be furnished with a card on which is printed in large type the names of the several component parts of the article. Hotels, restaurants and boarding houses using lard substitute or adulterated lard are required to have printed on their bills of fare "This food is prepared with lard substitute or adulterated lard," or have posted on each side of the dining-room in a conspicuous place, a card bearing these words: "Lard substitute or adulterated lard is used in the preparation of the food served here." No preservatives can be used in any kind of lard.

Oleomargarine.—May be sold under its true name if uncolored and containing no injurious substance. The package must be stenciled with the name and amount of the ingredients therein. Dealers must have posted in a conspicuous place a placard bearing these words: "Oleomargarine sold here" under our law. Proprietors of public eating houses must have a large placard posted in a conspicuous place in the dining room or lunch room, bearing these words: "Oleomargarine used here" where it is served or used, and they shall not serve oleomargarine when butter is called for. The term oleomargarine is construed to mean any substance, not pure butter, containing 80 per cent or more than 80 per cent of butter fat, used in the place of butter.

Prepared Mustard.—May be sold under this name if it does not contain any foreign or other substance to cheapen its value.

Meats.—Must be procured from healthy animals and be in a wholesome condition. Must not be tainted or otherwise unwholesome and

must be free from preservatives of any kind. The sale of meat procured from calves less than four weeks old is prohibited.

Syrups.—Must be true to name and contains no injurious substance, coloring matter or preservatives.

Spices.—If not pure must be labeled with the name of the article preceded by the word "Adulterated" and the name and address of the manufacturer, also the net weight of the article contained in the package.

Vinegar.—Must be pure, of an acidity equivalent to the presence of not less than $4\frac{1}{2}$ per cent by weight of absolute of acetic acid and containing no preparation of lead, copper, sulphuric acid or other injurious ingredient, or any artificial coloring matter. Must be true to name and in the case of apple or cider vinegar must be the legitimate product of pure apple juice, and contain not less than 2 per cent of cider vinegar solids. The barrel must be stenciled or labeled with the name and address of the vinegar manufacturer, the kind of vinegar contained in the barrel and the acid strength of the vinegar.

Creameries and Cheese Factories.—Must each obtain a license from the food and dairy commissioner, the fee for which is \$1.00. Buttermakers and cheesemakers must also have licenses. Must not receive at the factory for the manufacture into any article of butter or cheese, any impure, unhealthy, diseased or impure milk, or cream from any such milk or cream adulterated with water or containing any preservatives. Each creamery and cheese factory is required to make a monthly report to the food and dairy commissioner on blanks furnished by his office.

General.—The sale of any adulterated article of food is prohibited unless the package bears a label with the word "adulterated" preceding the name of the article together with the name and address of the manufacturer. The provisions of this law are extended to all persons who manufacture for sale, sell, or cause to be sold any article of adulterated food whatsoever. Foods shipped into this state not labeled as required under the provisions of are subject to confiscation.

Foods Defined.—The term foods covers all articles of food or drink intended for man or beast, whether solid or liquid.

Adulterations Defined.—For the purposes of the law articles of food are deemed to be adulterated in the following cases:

1. If any substance or substances shall have been mixed with an article of food so as to lower or depreciate its quality, strength or purity.

2. If any cheaper or inferior substances have been substituted wholly or in part for it.

3. If any valuable or necessary constituent or ingredient has been wholly or in part abstracted from it.

4. If it is an imitation of or sold or represented for sale under the name of any other substance or article.

5. If it is colored, powdered or treated in any manner whereby damage or inferiority is concealed.

6. If it contains any added substance or ingredient which is poisonous or injurious to health.

PURE FOOD LAWS OF TENNESSEE.

The Pure Food Laws of this state are under the supervision of the State Board of Health, the members of which are as follows:

Members—

W. J. McMurray, M. D., President.

W. J. Miller, M. D., Vice-President.

Hon. Thomas H. Paine.

Heber Jones, M. D.

Officers—

J. A. Albright, M. D., Secretary and Executive Officer.

John S. Hamel, Assistant Secretary.

J. M. King, State Chemist.

Louis Leroy, M. D., State Bacteriologist.

A DIGEST OF THE LAWS WHICH IT IS THE DUTY OF THE SAID BOARD TO ENFORCE ON THIS SUBJECT IS AS FOLLOWS:

Sec. 1. Provides that the manufacturing, importation, sale or offering for sale of any article of food or drink which is adulterated or misbranded, within the meaning of this act, is prohibited in Tennessee. And any company or person who shall knowingly receive from without the state, or having received shall deliver, sell or exchange such adulterated or misbranded article, shall be guilty of a misdemeanor, punishable by a fine not less than \$25 nor more than \$100 for the first offense, and not less than \$200 for each subsequent offense, or be imprisoned in the county jail not exceeding one year, or both.

Sec. 2. The State Board of Health is authorized and directed to establish a properly equipped chemical and biological laboratory, with such experts as they may elect, in which shall be made examinations of food and drink offered for sale in Tennessee, from samples collected from time to time, under such rules as the board may prescribe. The results of such analyses shall be published for the information of the people. It is the duty of the said board to see that the provisions of this act are carried out without any additional appropriations. The names of manufacturers or vendors of such foods or drinks analyzed shall in no case be published until after conviction in the courts of a violation of this act. The

said board shall furnish the District Attorney of the district in which any such violation occurs with a copy of the results of the analyses, duly authenticated under oath by the expert making the examination.

Sec. 3. It is the duty of every District Attorney receiving a report as aforesaid to cause proceedings to be commenced and prosecuted without delay for the fines and penalties in such cases provided, unless he shall decide that such proceedings cannot be sustained, in which case he shall so report to the said board.

Sec. 4. The term "food and drink" shall include all articles used for food or drink by man, whether simple, mixed or compound. The term "misbranded" shall include all articles of food or drink, or which enter into the composition of such articles of food or drink, the package or label of which shall bear any statement purporting to name any ingredient or substance as not being contained in such article which statement shall be false in any particular, or any statement purporting to name the substances of which such article is made which shall not fully give the names of all the substances contained in such article in any measurable quantities.

Sec. 5. That for the purposes of this act, an article shall be deemed adulterated, in the case of food or drink: First, if any substance has been mixed and packed with it so as to reduce or lower or injuriously affect its quality or strength, so that such product, when offered for sale, shall be calculated and shall tend to deceive the purchaser. Second, if any inferior substance has been substituted, wholly or in part, for the article, so that the product, when sold, shall tend to deceive the purchaser. Third, if any valuable constituent of the article has been wholly or in part abstracted so that the product, when sold, shall tend to deceive the purchaser. Fourth, if it be an imitation and sold under the specific name of another article. Fifth, if it be mixed, colored, powdered or strained in any manner whereby danger is concealed so that such product, when sold, shall tend to deceive the purchaser. Sixth, if it

contain any added poisonous ingredient or any ingredient which may render such article injurious to the health of the person consuming it. Seventh, if it consists of the whole or any part of a diseased, filthy, decomposed or putrid animal or vegetable substance, or any portion of an animal unfit for food, whether manufactured or not, or if it is the product of a diseased animal, or an animal that has died otherwise than by slaughter; provided, that an article of food or drink which does not contain any added poisonous ingredient shall not be deemed to be adulterated in the following cases:

First, in the case of mixtures or compounds, which may now or from time to time hereafter be known as articles of food or drink under their own distinctive names, and not included in definition fourth of this section. Second, in the cases of articles labeled, branded or tagged so as to plainly indicate that they are mixtures, compounds, combinations or blends. Third, when any matter or ingredient has been added to the food or drink because the same is required for the production or preparation thereof as an article of commerce in a state fit for carriage or consumption, and not fraudulently to increase the bulk, weight or measure of the food or drink, or to conceal the inferior quality thereof; provided, that the same

shall be labeled, branded or tagged as prescribed by the State Board of Health so as to show them to be compounds and the exact character thereof. Fourth, where the food or drink is unavoidably mixed with some extraneous matter in the process of collection and preparation.

Sec. 6. Provides that the State Board of Health, or any person authorized by them, shall have the right to demand and receive for analysis samples of such articles of food from any manufacturer or vendor who sells or delivers such articles to purchasers; and upon request of either party such sample shall, in the presence of such dealer, be divided into three parts, each part to be sealed by the State Board of Health; one part shall be left with the dealer, one delivered to the State Board of Health, and one deposited with the District Attorney of the district where the sample is taken. Said manufacturer or dealer may have his sample analyzed at his own expense, and if the results thereof differ from those of the State Board of Health, the sample in the hands of the District Attorney shall be analyzed by a third chemist or expert, who shall be agreed upon by the said dealer and the State Board of Health, and the whole evidence shall be laid before the court.

Sec. 7. Provides that whoever refuses to comply, upon demand, with the requirements

"Some coffees are to be *tasted*,
Others to be *swallowed*,
And some few to be (*es*)*chewed*—*Bacon*, with apologies.

U S E

Schotten's Standard Brands

ROASTED COFFEES

the goods composing which are selected on account of their

Drinking Merits.

ESTABLISHED 1847.

WM. SCHOTTEN & CO.

TEAS, COFFEES, AND SPICES

St. Louis.

of Section 6 of this act shall be guilty of a misdemeanor, and, upon conviction, shall be fined not exceeding \$100 nor less than \$10, or imprisoned not exceeding three months, nor less than thirty days, or both. Any person found guilty of manufacturing, knowingly offering for sale or selling any adulterated, impure or misbranded article of food or drink in violation of this act shall pay, in addition to

the penalties heretofore provided for, all necessary costs and expenses of inspection and analyses of such adulterated article which said person may have been found guilty of manufacturing or selling or offering for sale.

Sec. 8. Provides that this act shall take effect thirty days after its passage, and repeals all laws or parts of laws in conflict herewith.

PURE FOOD LAWS OF TEXAS.

The State of Texas has no Dairy or Food Department. The State Health Officer is charged with the enforcement of the laws against the adulteration of articles of food and drink, and the enforcement of all these laws in so far as they relate to public health. His powers and duties are prescribed by law as hereinafter set forth, and an appropriation has been made out of moneys in the Treasury not otherwise appropriated for the carrying of these laws into effect; but it appears that there has never been any money so appropriated set aside for said purpose, and therefore in so far as the State Health Officer is directly charged with creating and supervising a food department, the act has to a great extent lost its force and effect.

The State Health Officer is:

Dr. Geo. R. Tabor.....Austin

TITLE XII, CHAPTER II, PENAL CODE. SALE OF UNWHOLESOME FOOD, DRINK OR MEDICINE.

Art. 246. Provides that if any person knowingly sells the flesh of animals dying otherwise than by slaughter, or slaughtered when diseased, or any kind of corrupted, diseased or unwholesome substances, whether for food or drink, without making the same fully known to buyer, he shall be fined not less than \$20 nor more than \$100.

Art. 427. Provides if any person shall fraudulently adulterate for the purpose of sale, any substance intended for food, or any spirituous, vinous or malt liquor intended for drink with any substance injurious to health he shall be punished by a fine of not less than \$50 and not more than \$100.

Art. 428. Provides if any person sell any spirituous, vinous or malt liquor intended for drink, knowing the same to be adulterated with any substance injurious to health, he shall be fined not less than \$50 nor more than \$400.

Art. 429. If any person fraudulently adulterate, for the purpose of sale, any drug or med-

icine in such a manner as to change the operation of such drug or medicine, or render same worthless or injurious to health, he shall be punished as above.

Art. 430. Prohibits the manufacture, offering for sale or selling any article of food, wines, beers, fermented or distilled liquors, or drugs, known to be adulterated. A violation hereof is a misdemeanor punishable by a fine not exceeding \$500.

Art. 431. The term "food" as used in this law shall include every article used as food or drink by man. The term "drug" shall include all medicines for internal or external use.

Art. 432. An article shall be deemed adulterated:

(A) In the case of drugs:

1. If when sold under or by a name recognized in the United States Pharmacopoeia it differs from the standard of strength, quality or purity laid down therein.

2. If when sold under or by a name not recognized in the United States Pharmacopoeia, but found in some other Pharmacopoeia or standard work on Materia Medica it differs materially from the standard of strength, quality or purity laid down in such work.

3. If its strength or purity fall below the professed standard under which it is sold:

(B) In the case of food or drinks:

1. If any substance has been mixed with it so as to reduce or injuriously affect its quality or strength.

2. If any inferior substance has been substituted wholly or in part for the article.

3. If any valuable constituent of the article has been wholly or in part abstracted from the article.

4. If it be an imitation of or sold under the name of another article.

5. If it consist wholly or in part of a diseased, decomposed, putrid or rotten animal or vegetable substance, whether manufactured or

not; or in case of milk if it is the product of a diseased animal.

6. If it be colored, coated, polished or powdered whereby damages are concealed or made to appear better than it really is or of better value.

7. If it contains any added poisonous ingredient or any ingredient which may render it injurious to the health of the user.

Provided the said health officer may from time to time declare certain articles exempt from the provisions of this law.

Provided further that the provisions of this act shall not apply to mixtures, or compounds recognized as ordinary articles of food; *provided*, the same are not injurious to health and are distinctly labeled as mixtures, stating the compounds thereof.

Art. 433. It shall be the duty of the State Health Office to prepare and publish from time to time lists of the articles, mixtures or compounds declared exempt. He shall also from time to time fix limits of variability permissible in any article of food or drug, the standard of which is not established by any standard Pharmacopoea.

Art. 434. The State Health Officer shall take cognizance of the interest of the public health as it relates to the sale of food and drugs and adulterations thereof, and make all necessary investigations and inquiries relating thereto. He shall have the supervision of the appointment of public analysts or chemists. He shall adopt such measures as may seem necessary to facilitate the enforcement of this law; prepare rules and regulations with regard to the proper method of collecting and exempting articles of food or drugs. He shall be authorized to expend an amount not exceeding \$2,000 for the purpose of carrying out the provisions of this law. The sum of \$2,000 is hereby appropriated out of any moneys in the treasury not otherwise appropriated for the purposes in this article provided.

Art. 435. Every person selling, offering or exposing any article of food or drug for sale, shall supply to any public analyst or other state agent or local health officer appointed under this law, upon value thereof being tendered to him, a sample sufficient for the purpose of analysis of any article included in this law in his possession, under penalty not exceeding \$50 for the first offense and \$100 for each subsequent offense.

Art. 436. A violation of this law is a misdemeanor. Any person who shall obstruct, or otherwise prevent any analyst, inspector or prosecuting officer in the performance of his duty shall be fined not less than \$50 nor more than \$500.

Art. 437. All regulations of the State Health Officer made under this law shall be printed for distribution.

SESSION LAWS OF 1899, PAGE 304.

MARKING PACKAGES.

Sec. 1. Every person manufacturing or dealing in wheat or corn products in original packages in this state, whether sold singly or in lots, and all manufacturers or dealers in flour, meal or food from the above named grain products, when offering the same for sale in original packages, whether single packages or lots, shall place in legible letters and figures not less than two inches in size on the packages so offered for sale, the name of the contents and actual weight of contents of said package. It is unlawful to sell any package of the articles mentioned herein which has been falsely labeled. All adulterated wheat or corn products shall have stamped upon the sack or barrels "Adulterated."

Sec. 2. All violations of this act are punishable by a fine not less than \$25 nor exceeding \$1,000.

Sec. 3. Provides an emergency clause, approved June 5th, 1899.

PURE FOOD LAWS OF UTAH.

The Food and Dairy Laws of the State of Utah are enforced by a Dairy and Food Commissioner.

Maroni Heiner is the present State Dairy and Food Commissioner. His office is in Salt Lake City.

A digest of the laws which he is required to enforce is as follows:

Sec. 2446. Creates the office of State Dairy and Food Commissioner. The governor shall appoint such commissioner for two years. His

salary shall be \$600 per annum and necessary expenses, provided they shall not exceed \$300 per annum.

Sec. 2447. It is the duty of the Commissioner to enforce the laws hereinafter set forth, and such as may be enacted from time to time on the subject of articles of food or drink or drugs. He shall inspect cheese and butter factories and enforce proper sanitary regulations and investigate charges relating to the feeding or keeping for the purpose of feeding any un-



MORONI HEINER,
Utah State Dairy and Food Commissioner.



HERMAN HARMS,
Utah State Chemist.

UTAH FOOD AND DAIRY COMMISSION.

wholesome food for cattle, or keeping cattle afflicted with any contagious or infectious disease. He shall prosecute for violations of these laws.

Sec. 2448. Said commissioner has power to enter into any creamery, factory, store, sales-room, or other place of business or building in which any food or drug or drink is made or sold, and to open any cask, tub, package, or receptacle of any kind containing such article and to examine or cause the same to be examined and analyzed; and the commissioner may seize articles of food, drink or drug for analysis, provided that he shall seal two samples upon request of the owner of the article in the presence of such person from whom taken, giving one to said person and the other shall be retained by him for analysis. Any person obstructing the commissioner or refusing him entrance to any place or refusing to deliver to him samples of any article of food or drink or drug offered for sale when the same is requested or the value thereof tendered him is guilty of a misdemeanor punishable by a fine not exceeding \$25 for the first offense and \$500 nor less than \$50 for each subsequent offense.

Sec. 2449. The county attorney of the county in which the prosecution shall be begun shall render legal assistance to the commissioner. Fines shall be paid to the State Treasurer.

Sec. 2450. Said Commissioner shall make biennial report to the governor containing full account of the proceedings of his office and the expense thereof.

MILK.

Sec. 729. Every person who shall sell, furnish or deliver or possess with intent to do so, as pure, wholesome or unskimmed any unmerchantable, adulterated, impure or unwholesome milk, shall upon conviction thereof be punished by a fine of not less than \$10 nor more than \$100 for each offense.

Sec. 730. In prosecutions under this law relating to the sale or furnishing of milk if it shall be proven that the milk sold, offered for sale, furnished, delivered or possessed with intent to sell as pure, wholesome and unskimmed has been adulterated or diluted or any part of its cream abstracted, or that it is drawn from any cow within 20 days before or 5 days after parturition, or from any cow that has any disease or ulcers or running sores, and in either case all milk shall be held and adjudged to have been unmerchantable, adulterated, impure or unwholesome, as the case may be.

Sec. 731. Prohibits the sale, exchange, or delivery or possession of milk from which the cream or any part thereof has been removed, unless there is placed in a conspicuous place above the center and upon the outside of every

vessel, can or package from which said milk is sold the words "Skimmed Milk" in uncondensed Gothic letters not less than one inch in height. Skimmed milk shall not contain less than 9 per cent of milk solids exclusive of fats. It is a misdemeanor to violate this section, punishable by a fine of not less than \$10 nor more than \$100 for each offense.

Sec. 732. Proofs of adulteration and skimming may be made with standards, tests and lactometers as are used to determine the quality of milk, or by chemical analysis.

Sec. 733. Any person who shall sell, consign or have in possession with intent to sell or dispose of, to any person or persons any milk, cream, butter, cheese or dairy product, or who shall deliver to any creamery or cheese factory milk or cream to be manufactured into butter or cheese to which boracic acid, formaldehyde, or salicylic acid, or compound containing them, or to which any other antiseptics have been added, shall be guilty of a misdemeanor, and upon conviction thereof be punished by a fine not less than \$10 nor more than \$100 for each and every offense.

Sec. 734. Prohibits the manufacture, sale or consignment or possession of any cheese manufactured from or by the use of skimmed milk to which has been added any fat which is foreign to such milk.

Sec. 735. Prohibits the manufacture, sale or consignment or possession of any skimmed milk cheese or cheese manufactured from milk from which any of the fats originally contained therein have been removed, unless such cheese be not less than 9 nor more than 11 inches in diameter, and not less than 4 inches in height.

Sec. 736. Prohibits the manufacture, sale, consignment or delivery or possession of any article, product or compound made wholly or partly out of any fat, oil or oleaginous substance or compound thereof not produced from unadulterated milk or cream from the same, and without the admixture of any fat foreign to said milk or cream, which shall be an imitation of yellow butter produced from pure unadulterated milk or cream, with or without coloring matter, provided this section shall not be construed to prohibit the manufacture or sale of oleomargarine in a separate and distinct form, and in such manner as will advise the consumer of its real character, free from colorations or ingredients that cause it to look like butter, and free from any word, brand or mark intended to deceive the purchaser or consumer.

Sec. 737. It is unlawful to sell to any person for butter any oleomargarine, butterine, or any substance made in imitation or semblance of pure butter, and not made entirely from milk of cows, with or without coloring matter.

Sec. 738. It is unlawful for any person to expose for sale oleomargarine, butterine, or any substance not marked or distinguished on the outside of each tub, package or parcel thereof by placard with the words "Oleomargarine" or "Butterine," in each case to be printed in plain, uncondensed Gothic letters not less than 1 inch long and containing no other words thereon.

Sec. 739. It is the duty of every person who sells oleomargarine, butterine or similar substance from any dwelling, store, office or public mart to have conspicuously posted thereon a placard or sign in letters not less than 4 inches in length "Oleomargarine sold here" or "Butterine sold here." Such placard shall be approved by the Dairy and Food Inspector or the town or city, or, in his absence, by the county clerk, city recorder, or town clerk.

Sec. 740. It is unlawful to peddle, sell or solicit orders for delivery from any cart, wagon, or vehicle, of oleomargarine, butterine or similar substance without placarding said wagon, cart or vehicle in uncondensed Gothic letters not less than 3 inches in length with the words "Oleomargarine" or "Butterine."

Sec. 741. It is unlawful to furnish in any hotel, boarding house, restaurant or lunch counter, oleomargarine, butterine or similar substance, to any guest or patron of such place without first notifying said person that the substance so furnished is not butter.

Sec. 742. It is a misdemeanor to violate any of the eight preceding sections of this title, punishable for the first offense by a fine of not less than \$25, and for each subsequent offense not less than \$50, or imprisonment in the county jail for not less than 10 days, or both.

Sec. 743. Prohibits the use of butter or cheese not made wholly and directly from pure milk or cream, salt and harmless coloring matter in any charitable or penal institution. For a violation of this section the punishment is fixed at a fine of not less than \$25 nor more than \$50 for the first offense, and for each subsequent offense not less than \$50 nor more than \$100, or imprisonment in the county jail not less than 10 nor more than 60 days, or both.

Sec. 744. Whenever any complaint is made or brought before any authorized magistrate that imitation butter or imitation cheese or any such substance designed to be used as butter or cheese is in the possession or control of any person in violation of law he shall issue a warrant for such property.

Sec. 745. All warrants shall describe and designate the place and property to be searched for, and be directed to the sheriff or his deputy or a constable of the county commanding such officer to search the place where imitation but-

ter or imitation cheese is believed to be concealed and bring the person possessing same before some magistrate having cognizance of the case.

Sec. 746. Provides for the disposition of property under seizure, and for furnishing to any authorized person samples thereof for analysis, also provides for recording of such analysis and payment of costs thereof.

IMPURE VINEGAR.

Sec. 4283. Prohibits the manufacture or sale or possession with intent to sell of any vinegar containing any preparation of lead, copper, sulphuric acid or other ingredients injurious to health.

ADULTERATED VINEGAR.

Sec. 4284. Prohibits the sale, exchange or delivery or possession with intent to sell of any adulterated vinegar or vinegar not in compliance with the provisions of this act. Nor shall any person label, brand or sell as cider vinegar or as apple vinegar any vinegar not the legitimate product of pure apple juice or not made exclusively from apple cider.

Sec. 4285. All manufacturers of vinegar and persons who reduce or rebarrel vinegar, or handle vinegar in lots of one barrel or more, are required to have stenciled or marked in black letters and figures at least one inch in length on the head of each barrel or package of vinegar bought or sold the name of the manufacturer and place where manufactured, kind of vinegar, cider, malt, grain or wine, and standard strength of the vinegar contained in such package or barrel, which shall be denoted by the per cent of acetic acid. All vinegar, except cider, shall have an acidity equivalent to the presence of not less than $4\frac{1}{2}$ per cent by weight of absolute acetic acid, and in case of cider vinegar shall contain not less than 2 per cent by weight of cider vinegar solids upon full evaporation over boiling water.

Sec. 4268. No retailers who sell vinegar by the gallon shall reduce by water or other mixture the strength of vinegar purchased and sold by them, unless he shall mark in plain figures on said package or barrel the strength of the vinegar contained in such package or barrel.

Sec. 4287. Whoever violates any of the provisions of the four next preceding sections shall be guilty of a misdemeanor, and all vinegar found in his possession not in accordance with said sections shall be forfeited.

ADULTERATED FOOD, DRINK OR DRUG.

Sec. 4288. Every person who adulterates any article of food, drink, drug, medicine, spirituous or malt liquor, or wine, or any article useful in compounding them, with a fraudulent intent to offer the same, or cause or per-

mit it to be offered for sale as adulterated or diluted, and every person who sells or keeps or offers for sale the same as unadulterated or undiluted is guilty of a misdemeanor.

CANDY.

Sec. 4289. Any person who shall manufacture for sale any candy adulterated by the admixture of terra alba, baryta, talc, or other like substances, or by poisonous colors or flavors or other matters deleterious to health, shall

be punished by a fine not exceeding \$500 nor less than \$50 and the candy so adulterated shall be forfeited.

Sec. 4290. Whoever knowingly sells, keeps or offers for sale, or disposes of, any article of food, drink, drug or medicine knowing that the same has become tainted, decayed, spoiled or otherwise unfit to be eaten or drunk, with intent to permit the same to be eaten or drunk, is guilty of a misdemeanor.

DAIRY AND PURE FOOD LAWS OF THE STATE OF VERMONT.

The State of Vermont has no Dairy or Food Department, nor is any department of state specifically charged with the enforcement of the laws in force against the adulteration of dairy and food products. Violations of those laws are misdemeanors, and as such punishable as other misdemeanors in the state. These laws may be invoked by any person, or by the Prosecuting Attorneys, or other proper officers of the state.

The digest of the laws is as follows:

STATUTES OF 1894, CHAPTER 182, TITLE 29. MILK.

Section 4300. The standard of milk shall be wine measure.

CHAPTER 183. MANUFACTURE AND SALE OF PRO- VISIONS. MILK AND CHEESE.

Sec. 4327. As amended by act No. 67, page 45, laws of 1900:

Any person who sells, furnishes or possesses with intent to sell milk diluted with water, adulterated or not of good standard quality, or from which the cream or a part has been taken, or keeps back part of the milk known as "stripings," or milk or cream treated with chemicals, shall for each offense be fined not more than \$300 and not less than \$50.

Sec. 4328. In all creameries and cheese factories in this state, milk containing four per cent of butter fat shall be the standard used as a paying basis.

Sec. 4329. In prosecutions under the second preceding section, where the ordinary means of proof are not available or sufficient, sealed samples of the milk sold or furnished or kept with intent so to do taken from such milk in the presence of at least one disinterested witness with the knowledge and in the presence of the person or his agent so selling, or furnishing, or possessing with intent to sell or furnish said milk, may be sent to the State Agricultural station to be tested. The results thereof shall be deemed competent evidence in

such prosecutions, but shall not exclude other evidence.

Sec. 4330. Said samples shall be placed in tin or glass vessels securely sealed with a label thereon, stating the time when and place where the sample was taken, from whose milk taken, and signed by the person taking the same, and by one or more disinterested witnesses. Upon request a like sample shall be given such person or his agent, for which a receipt shall be given to the person taking or drawing the same.

Sec. 4331. Standard milk shall contain not less than 12½ per cent of solids, and not less than nine and one-quarter of total solids, exclusive of fat, except in the months of May and June, when it shall contain not less than 12 per cent of total solids. This rule shall govern tests made at the experiment station and an officer or employe thereof found guilty of fraud in making a test shall be fined \$1,000.

Sec. 4332. A person who makes or otherwise designates as "creamery" butter or cheese, or the packages in which it is contained, when such butter or cheese is not manufactured at a creamery, or sells any such butter or cheese so marked, shall be fined not more than \$300 nor less than \$50, provided a person may brand, mark or designate the product of his dairy as "Private Creamery," and in such case the name of the maker shall be plainly marked on each package.

Sec. 4333. Justices shall have jurisdiction of the preceding sections.

LARD.

Sec. 4334. No person, by himself or otherwise, shall prepare, sell or expose for sale lard or any substance intended for use as lard, containing any ingredient, but the pure fat of swine in any tierce, bucket, pail or package, under a label, bearing the words "pure," "refined" or "family" alone, or in combination with other words, unless the package containing same bears upon the outside, in letters not less than one-quarter of an inch long, the words "Compound lard."

Sec. 4342. A violation of the preceding sec-

tion is punishable by a fine of \$50 for each offense.

GRAIN.

Sec. 4343. Any person who shall adulterate any kind of meal or ground grain with offal, or any substance whatever for purposes of sale, unless the true composition, mixture or adulteration thereof is plainly marked and indicated upon the package containing same, or in which it is offered for sale; and any person who knowingly sells, or offers for sale any meal or ground grain so adulterated unless the true composition, mixture of adulteration is plainly marked or indicated upon the package containing the same, or in which it is offered for sale, shall be fined not less than \$25 and not more than \$100 for each offense, one-half thereof to go to complainant.

MAPLE SUGAR AND HONEY.

Sec. 4344. A person who adulterates maple sugar, maple syrup or bees honey with cane sugar, glucose or any other substance whatever for the purpose of sale, or knowingly sells maple sugar, maple syrup or bees' honey that has been adulterated, shall be fined not more than \$200 and not less than \$50 for each offense, one-half thereof to go to complainant.

CANDY.

Sec. 4345. A person who shall adulterate candy with terra alba, baryta, talc or other substance detrimental to health, or knowingly sell or offer for sale candy so adulterated, shall be fined not more than \$100 and not less than \$50 for each offense.

CHAPTER 222, TITLE 32.

ADULTERATED PROVISIONS.

Sec. 5073. Any person who knowingly sells diseased, corrupted or unwholesome provisions for food or drink shall be imprisoned not more than six months or fined not more than \$300.

Sec. 5074. Any person who kills with intent to sell the meat thereof for family use a calf less than four weeks old, or knowingly sells or possesses with intent to sell such meat, in the state, or sends the same for use to any foreign market, shall be punished as provided in the preceding section.

Sec. 5075. A person who fraudulently adulterates for the purpose of sale, bread or liquor or any substance intended for food or drink with any substance injurious to health, or knowingly sells such adulterated substance shall be imprisoned in the state prison not more than two years and fined not more than \$300, and the articles so adulterated shall be forfeited and destroyed.

Sec. 5076. Any person who fraudulently adulterates for the purpose of sale any drug or medicine so as to render it injurious to health, or sells the same knowing it to be adulterated shall be imprisoned in the state prison not

more than two years or fined not more than \$400, and such adulterated article shall be forfeited and destroyed.

CHAPTER 215, TITLE 32.

Sec. 4975. A person who knowingly sells or furnishes milk diluted with water or adulterated shall forfeit to the person to whom such milk is sold or furnished not more than \$100 and not less than \$25.

Sec. 4976. A person who knowingly sells, supplies or brings to be manufactured to a butter or cheese manufactory in the state, milk diluted with water or adulterated, or milk from which the cream has been taken, or keeps back part of the milk known as "strippings," or knowingly brings milk to a butter or cheese manufactory that is tainted or partly sour from want of care in keeping the strainers or vessels in which said milk is kept clean and sweet; or a butter or cheese manufacturer who knowingly uses cream from the milk brought to said butter or cheese manufacturer without the consent of the owners thereof, shall forfeit not more than \$100 nor less than \$25 for the benefit of those upon whom said fraud is committed.

LAWS OF 1892, PAGE 62.

MILK AND CREAM.

Sec. 1. All bottles, pipettes or other measuring glasses used by any person at any creamery, butter factory, cheese factory or condensed milk factory, or elsewhere, in determining by the Babcock test or any other test the value of milk or cream received from different persons at such creameries or factories shall, before such use be tested for accuracy of measurement and for accuracy of the per cent scale mark thereon. It shall be the duty of the superintendent of the Dairy School of the University of Vermont and State Agricultural College to designate some competent person to test the accuracy of such bottles, pipettes or other measuring glasses. Such persons shall mark such bottles, pipettes or measuring glasses as are found correct in marks or characters which cannot be erased, which marks or characters shall stand as proof that they have been tested; and no incorrect bottles, pipettes or other glasses shall be thus marked.

Sec. 2. Every person who shall manipulate a Babcock test or other test, whether mechanical or chemical for the purpose of measuring the contents of butter fat in milk or cream, or as a basis for apportioning the value of such milk or cream, or the butter or cheese thereof, shall secure certificate from the Superintendent of the Dairy School of the University of Vermont, and State Agricultural College that he is competent to perform such work. The fee for issuing such certificate shall not exceed one dollar. A violation of any of the preceding sections is punishable by a fine of not more

than \$25 for the first offense, nor more than \$50 for a subsequent offense. It is the duty of every sheriff, deputy sheriff and constable to institute complaint against offenders hereunder. One-half of said fine to go to complainant.

CREAMERIES AND CHEESE FACTORIES.

Sec. 1. Every owner or proprietor of a creamery shall monthly make and deliver to the patrons thereof a statement of the number of pounds of milk or cream they delivered for that month, with the test, pounds of butter fat, gain per cent from the churn, and actual pounds of butter produced from such milk; and the price paid for same shall be computed on the actual pounds of butter.

Sec. 2. Any owner or proprietor of a creamery who disposes of any milk received at such creamery shall weigh and carefully sample the same and test such samples for the purpose of ascertaining the number of pounds of butter fat in such milk sold or otherwise disposed of and the gain per cent which is found to be the gain from the churn for that month shall be the one used in ascertaining the actual number of pounds of butter produced from such milk sold or disposed of.

Sec. 3. The owner or proprietor of any cheese factory in this state shall make and deliver to each of the patrons of such factory a statement of the number of pounds of milk he delivers for each month, with the test and actual number of pounds of cheese produced by such milk for said month, and the price paid for same shall be computed on the actual number of pounds of cheese.

Sec. 4. Every owner or proprietor of a creamery shall make a statement each month of the total number of pounds of milk received for that month, together with the gain per cent from the churn, and actual number of pounds of butter produced from said milk and cream.

Sec. 5. The statement mentioned in the preceding sections shall be posted in a conspicuous place in said creameries.

Sec. 6. Any manager or proprietor of any creamery or cheese factory, who refuses or neglects for the space of ten days to comply with the provision of this act, shall forfeit to any person requesting him so to do, the sum of \$10 for each such refusal or neglect.

SESSION LAWS OF 1900, PAGE 45.

MILK TICKETS.

Sec. 1. All retail dealers in milk, who use so-called "milk tickets" shall have the same printed in coupon sheets of convenient size to furnish customers, which shall be taken up by tearing off coupons from the sheet, which coupons shall be immediately destroyed.

Sec. 2. Any person using any of such cou-

pons the second time shall be fined \$5 for each offense.

Sec. 3. This act shall take effect January 1, 1901.

SESSION LAWS OF 1900, PAGE 46. DAIRY PRODUCTS AND THEIR IMITATIONS.

Sec. 1. Whoever, by himself or otherwise, sells, exposes for sale, or who possesses with intent to sell any article made in imitation or semblance of butter, or as a substitute for butter, not made exclusively and wholly of milk or cream, containing any fats, oils or grease not produced from milk or cream, shall have the words "Imitation butter," or if such substitute is the compound known as "oleomargarine," then the word "Oleomargarine," or if it is known as "butterine," the word "Butterine," stamped, labeled or marked in a straight line in plain letters of uncondensed Gothic type, of not less than one-half inch in length, so that said words cannot be easily defaced, upon the top, side and bottom of every tub, firkin and box or package containing any of said substance or compound. The stamp, label or mark shall contain no other words. Whoever, by himself or otherwise, exposes or offers for sale any such article not in the original package, shall attach to said article in a conspicuous place a label bearing the words "Imitation butter," "Oleomargarine" or "Butterine" in printed letters of plain and uncondensed Gothic type of not less than one-half inch in length. In case of retail sales of such article or substance, not in the original packages, the seller shall attach to each package so sold and deliver therewith to the purchaser a label or wrapper bearing in a conspicuous place on the outside of the package the words "Imitation butter," "Oleomargarine" or "Butterine," and no other words, in printed letters, in a straight line of plain, uncondensed Gothic type not less than one inch in length.

Sec. 2. Whoever sells, exposes or possesses with intent to sell any article made in imitation or semblance of cheese, or a substitute therefor, not made exclusively of milk or cream, containing any fats, oils or grease not produced from milk or cream shall have the words "Imitation cheese" stamped, labeled or marked in printed letters of plain Roman type, not less than one-half inch in length, so that they cannot be easily defaced, upon the side of every cheese cloth or band around the same, and upon the top and side of every tub, firkin, box or package containing such substance. In case of retail sales of such substances, not in original packages, the seller shall attach to each package so sold, and deliver therewith to the purchaser, a label or wrapper, bearing in a conspicuous place upon the outside of the package

the words "Imitation cheese" in printed letters of plain Roman type of not less than one-half inch in length.

Sec. 3. Whoever sells or exposes for sale or possesses with intent to sell any article or compound made in imitation of butter, or cheese, or a substitute therefor, except as provided in the two preceding sections, or with intent to deceive, defaces or removes any mark, stamp, label or wrapper provided for in said sections, or shall falsely label stamp or mark any box, tub, article or package, marked, etc., as aforesaid, shall for each offense forfeit to the city or town where the offense was committed \$100 and for a second and subsequent offense \$200.

Sec. 4. Whoever sells, exposes for sale or possesses with intent to sell any article made in imitation of butter or a substitute therefor, not made exclusively of milk or cream, containing any fats, oils or grease not produced from milk or cream, contained in any box, tub, article

or package, marked or labeled with the word "dairy" or "creamery," or the name of any breed of dairy cattle, shall for each offense forfeit to the city or town where same was committed \$100, and for a subsequent offense \$200.

Sec. 5. The terms "butter" and "cheese" shall mean the products which are usually known by these names manufactured exclusively from milk and cream with salt and rennet, with or without coloring matter.

Sec. 6. Provides that the Prosecuting Attorney shall institute complaints for violation hereof upon information of any person. He may enter any place where butter or cheese is stored or kept for sale and take specimens of suspected butter and cheese and cause them to be analyzed or otherwise tested, and preserve a record of the result thereof. The expenses of such analysis shall not exceed \$20 in any one case to be included as costs.

PURE FOOD LAWS OF VIRGINIA.

The State of Virginia has no dairy or food commission, but the State Board of Agriculture has supervisory powers over the administration of the laws against the adulteration of articles of food and drink.

G. W. Koiner is Commissioner of Agriculture.

A digest of the laws is as follows:

CHAPTER 186.

UNWHOLESOME PROVISIONS AND ADULTERATING FOOD, ETC.

Sec. 3811. If any person knowingly sells any diseased, corrupt or unwholesome provisions whether for meat or drink without making the same known to the buyer he shall be confined in jail not exceeding six months, or fined not exceeding \$100.

Sec. 3812. If any person fraudulently adulterates for the purpose of sale any drugs, medicine or article of food or drink with any substance injurious to health, or intended to increase the weight or the quantity of such food or drink, he shall be confined in jail not exceeding one year, and fined not exceeding \$500, and the adulterated article shall be forfeited.

INSPECTION OF CERTAIN ARTICLES OF FOOD.

CHAPTER 84.

Sec. 1844. Provides for the appointment of inspectors by the Government in the several counties, cities and towns in which it may be necessary to appoint such inspectors. Said in-

spectors may be appointed of any of the following commodities: Flour, cornmeal, bread, salt, fish, pork, beef * * * butter and lard.

Sec. 1846. Such inspectors may appoint one or more deputies to assist them.

FLOUR.

Sec. 1850. All wheat flour offered for inspection shall be well bolted and merchantable, of due fineness and without mixture of coarser grain or other grain than wheat, and all cornmeal so offered shall be well sifted, made of corn, well kiln dried and merchantable, of due fineness and without mixture of any other material.

Sec. 1851. Provides how barrels containing flour, meal and bread shall be made.

Sec. 1852. Each barrel of flour or cornmeal shall contain 196 pounds of flour or meal, and each half barrel 98 pounds. In case of a deficiency of quantity the person offering the same for inspection shall forfeit eight cents for each pound of such deficiency not exceeding three, and 17 cents for each pound over three.

Sec. 1853. All foreign flours shall be reviewed and inspected.

Sec. 1854. Provides a fine of \$5 for each barrel of flour sold or offered for sale without being inspected.

Sec. 1856. Provides how barrels containing beef and pork shall be made.

Sec. 1857. Provides how barrels containing salt shall be made.

Sec. 1862. Every manufacturer of flour, cornmeal, bread or salt for exportation shall brand or mark distinctly each barrel of flour, meal or bread so that it may be distinguished as his. Prohibits the use of more than one such brand or mark within a year from the first day of June annually, other than a private mark indicating the quality of the article. A violation of the foregoing section is punishable by a fine of fifty cents, and if any person wilfully puts a false tare or weight on any barrel, box or package he shall forfeit one dollar for each barrel, etc.

Sec. 1865. Flour shall be branded as either "family flour," "extra fine," "superfine," "fine" or "middlings," cornmeal with the words "fine meal;" bread with the words "fine bread;" *provided*, said articles are adjudged to be merchantable and properly packed.

ALUM SALT.

Sec. 1866. Alum salt shall be branded with the words "alum salt."

BUTTER AND LARD.

Sec. 1871. Each inspector of butter or lard shall examine or provide for inspection of tubs, firkins, kegs, or barrels, exceeding in weight fifty pounds and brand the same, if fit to pass, with the number, "1," "2," "3," as he may judge it to be of first, second or third quality.

ADULTERATED MILK.

Sec. 11899. Whoever shall knowingly sell, supply or bring to be manufactured to any cheese or butter manufactory in this state any milk diluted with water or in any way adulterated, or any milk from which any cream has been taken, or milk commonly known as "skimmed milk," or whoever shall keep back what is known as "strippings," or knowingly bring to any cheese manufactory milk that is tainted or partly sour from want of proper care in keeping clean any vessel in which said milk is kept, after proper notice of such carelessness, or any cheese manufacturer who shall knowingly use or direct any of his employes to use, for his or their individual benefit, any cream from the milk brought to said cheese manufacturer without the consent of the owners thereof shall for each offense forfeit not less than twenty-five and not more than one hundred dollars to be recovered by any person upon whom such fraud is committed.

OLEOMARGARINE.

Sec. 1900. Every person who shall manufacture for sale, or offer or expose for sale any article in semblance of butter or cheese not the legitimate product of the dairy, not made exclusively of milk or cream, into which the oil or fat of animals not produced from milk enters as a component part, or into which melted

butter or any oil thereof has been introduced to take the place of cream, shall distinctly and durably stamp, brand or mark upon every tub, firkin, box or package of such article or substance, the word "Oleomargarine" in plain Roman letters, not less than one-half inch square, placed horizontally in proper order, thus: "Oleomargarine." In all cases of retail sales of such article, the seller shall deliver therewith to the purchaser a written or printed label, bearing the plainly written or printed word "Oleomargarine" in type of letters as aforesaid; every sale of such article not so stamped, printed, marked or labeled shall be void and no action maintain for the price thereof.

Sec. 1901. A violation of the preceding section is punishable by a fine of \$100; one-half to go to the informer, the other half to go to the commonwealth, for every offense. On the trial of such offense, proof of the sale, or proof of exposure alleged shall be affirmative evidence of knowledge of the character of the article.

SESSION LAWS OF 1897 AND 1898,
PAGE 493.

ADULTERATION OF FLOUR.

Sec. 1. No person shall hereafter adulterate wheat flour by the addition of corn starch; corn flour, barley flour or other adulteration, nor manufacture, sell or exchange or possess with intent to sell or exchange any wheat flour adulterated with corn starch, corn flour, barley flour or other adulteration, nor receive or solicit any order for the manufacture, sale, exchange or delivery within this State of any wheat flour adulterated with corn starch, corn flour, barley flour or other adulteration, unless he or they plainly and durably stamp, brand or mark each package, parcel, box or barrel containing such adulterated wheat flour with the word "Combination," and beneath this word shall be plainly stamped on every barrel, etc., the name and percentage of each ingredient used therein. Every person who shall fail to so stamp each box, etc., or misstate the percentage of every ingredient in such combination, shall be punished by a fine of not less than twenty-five dollars nor exceeding one hundred dollars for each offense, or imprisoned not less than sixty days, or both.

Sec. 2. Possession by any person, either as manufacturer, merchant or retail dealer, of any packages, parcels or boxes containing any of the combination flour, defined by this act, not plainly and durably marked with the word "Combination" shall be *prima facie* evidence that the order upon which said flour was obtained was for such flour; *Provided*, if any packages, etc., containing combination flour shall be plainly and durably marked as required by the provisions of this act before or when the same are sold or exchanged, then the per-

son so selling or exchanging shall be exempt from the penalties of this act.

Sec. 3. This act shall take immediate effect.

CHAPTER 146, PAGE 147, LAWS OF 1897
AND 1898, AS AMENDED AND RE-
ENACTED BY CHAPTER 908,
PAGE 1006, LAWS OF 1899
AND 1900.
BUTTER.

Sec. 1. No person shall render or manufacture, sell or offer or expose for sale, or possess with intent to sell, any article made, wholly or partly, from any fat, oil, or oleaginous substance or compound thereof, not produced from unadulterated milk or cream, which shall be an imitation of yellow butter produced from pure unadulterated milk or cream, provided nothing herein shall prohibit the manufacture or sale of oleomargarine, butterine or kindred compounds in a separate and distinct form in such a manner as will advise the consumer of its real character, free from coloration or ingredient that causes it to look like butter.

Sec. 2. It shall be unlawful for any inspector of any hotel, tavern, boarding house, bakery, restaurant, saloon, lunch counter or place of public entertainment to use oleomargarine, butterine, or kindred compound in baking, making of bread, cakes, etc., meat, or other edibles, or serve same to guests or patrons without first posting in their respective bakeries, stores, etc., in a conspicuous public place, in Roman letters, not less than one inch square, a sign or placard with the inscription, "Imitation Butter Used Here."

Sec. 3. A violation of Section 1 or 2 is punishable by a fine of not less than fifty dollars, nor more than two hundred and fifty dollars or imprisonment not exceeding six months.

Sec. 4. It is the duty of the Secretary of Agriculture of this State to have samples taken of butter, oleomargarine or butterine or any adulteration of butter wherever offered for sale in the State, and have the samples analyzed by a chemist employed by the State Commissioner of Agriculture. It is the duty of said commissioner if he finds such article adulterated to so report to the Commonwealth attorney of the place where such sample was taken. A copy of said chemist's analysis when certified by him shall be admissible as evidence.

Sec. 5. Confers jurisdiction to impose penalties upon Justices of the Peace.

CHAPTER 56, PAGE 50, LAWS OF 1897
AND 1898.
CANDY.

Sec. 1. No person shall manufacture for sale, or knowingly sell, or offer to sell any candy adulterated by the admixture of terra alba, barytes, talc, or other mineral substance or

poisonous colors or flavors, or other ingredients deleterious to health.

Sec. 2. A violation of this act is punishable by a fine not exceeding two hundred dollars, nor less than twenty dollars. Candy so adulterated shall be forfeited and destroyed.

SUPPLEMENTAL TO THE CODE OF
VIRGINIA, 1898.
ADULTERATION OF BUTTER AND
CHEESE.

Sec. 1899. No person shall manufacture out of any oleaginous substance, or any compound of the same, other than that produced from unadulterated milk or cream, any article designed to take the place of butter or cheese produced from pure unadulterated milk or cream, or sell or offer to sell the same as an article of food. This provision shall not apply to pure skimmed milk cheese made from pure skimmed milk. A violation of this section is punishable by a fine of not less than fifty dollars, nor more than one hundred dollars for the first offense, and not less than one hundred dollars, nor more than five hundred dollars for a subsequent offense.

Sec. 2. No person directly or indirectly shall render or manufacture out of any animal fat, or animal or vegetable oils, not produced from unadulterated milk or cream from the same, any article in imitation or semblance of natural butter or cheese produced from pure unadulterated milk or cream of the same; nor compound or add to milk, cream or butter any acids or other deleterious substance, or any animal fat or animal oil not produced from milk or cream, so as to produce any article or substance or any human food in imitation of natural butter or cheese, nor sell, keep nor offer for sale any article made in violation of the provisions of this section, whether such article be made in this State or elsewhere. A violation hereof is a misdemeanor, punishable by a fine of not less than fifty dollars nor more than one hundred dollars for the first offense, and not less than one hundred dollars, nor more than two hundred dollars for a subsequent offense. Nothing in this section shall impair the provisions of the first section of this act.

Sec. 3. No person shall manufacture or mix with, or add to, natural milk, cream or butter, any animal fats or animal or vegetable oils, nor manufacture any oleaginous substance not produced from milk or cream with intent to sell the same for butter or cheese made from adulterated milk or cream, or possess same with intent to sell; nor shall any article so made be sold intentionally or otherwise for butter or cheese, the product of the dairy. No person shall coat, powder or color with annatto, or any coloring matter whatever, butterine or oleomargarine, or any products made in whole or in

part from animal fats or animal or vegetable oils not produced from unadulterated milk or cream, whereby said product shall resemble butter or cheese, the product of the dairy; or possess same with intent to sell. A violation of the provisions of this section is a misdemeanor, punishable by fine as in the last preceding section. This section shall not impair the effect of the two preceding sections.

Sec. 4. No keeper or proprietor of any bakery, hotel, tavern, boarding house, restaurant, saloon or place of public entertainment shall keep or serve therein, either as food for their guests, or for cooking purposes, any article made in violation of sections one, two and three hereof. A violation of this section is a misdemeanor, punishable by a fine of not less than fifty dollars nor more than two hundred dollars for each offense.

Sec. 5. Confers jurisdiction to impose fines in the same court that exercises jurisdiction of all other criminal cases.

SESSION LAWS OF 1899-1900, PAGE 694. ADULTERATED FOOD.

Sec. 1. Provides that for the purpose of protecting the people from imposition by adulteration and misbranding of articles of food, the Board of Agriculture shall cause to be procured from time to time, under rules and regulations to be prescribed by them, in accordance with section 9 of this act, samples of food, beverages and condiments offered for sale in the State, and cause same to be analyzed. The Board of Agriculture is hereby ordered to make such publication of the results of the examinations and so forth, as they deem proper.

Sec. 2. No person shall directly or indirectly knowingly manufacture, sell, or possess with intent to sell, any article of food adulterated or misbranded within the meaning of this act. Any person violating the provisions hereof shall for such offense be fined not exceeding two hundred dollars for the first offense, and not exceeding three hundred dollars, or confined in jail not exceeding one year, or both, for a subsequent offense.

Sec. 3. The chemists or other experts of the Department of Agriculture shall make examination of specimens of food, beverages and condiments offered for sale in Virginia, which may be collected from time to time. If it appear that any of the provisions hereof have been violated, from such examination, the Commissioner of Agriculture shall certify the fact to the commonwealth attorney for the city or county in which the offense shall have been committed, and furnish such officer with a copy of the results of the analysis duly verified.

Sec. 4. It is the duty of every commonwealth attorney to whom the Commissioner of Agricul-

ture reports any violation of this act to prosecute therefor.

Sec. 5. The term "food," as used herein, shall include all articles of food, candy, condiment or drink used by man or domestic animals, whether simple mixed or compounded. The term "misbranded" shall include all articles of food or articles which enter into the composition of food, the package or label of which shall bear any statement purporting to name any ingredient as being contained or not being contained in such article, which statement shall be false in any particular.

Sec. 6. For the purpose of this act an article shall be deemed adulterated:

1. If any substance has been mixed or packed with it, so as to reduce or injuriously affect its quality or strength, so that when offered for sale it shall deceive or tend to deceive the purchaser.

2. If any inferior substance has been substituted, wholly or in part for an article so that the product when sold shall deceive or tend to deceive the purchaser.

3. If any valuable constituent has been wholly or in part abstracted so that the product when sold shall deceive or tend to deceive the purchaser.

4. If it is an imitation of and sold under the specific name of another article.

5. If it be mixed, colored, coated, polished or stained, in a manner whereby damage or inferiority is concealed, so that such product when sold shall deceive or tend to deceive the purchaser.

6. If it contains any added poisonous ingredient which may render it injurious to health.

7. If it be labeled so as to deceive or mislead the purchaser, or purport to be a foreign product when branded so, or an imitation either in package or label of an established proprietary product which has been trade marked, or patented.

8. If it consists of the whole or any part of a diseased, filthy, decomposed or putrid animal or vegetable substance, or any part of an animal unfit for food, whether manufactured or not; or if it is the product of a diseased animal, or of an animal that has died otherwise than by slaughter.

9. That candies and chocolates may be deemed to be adulterated if they contain terra alba, barytes, talc, chrome yellow, or other mineral substance or poisonous colors or flavors, or other ingredients deleterious to health: *provided*, an article of food, beverage or condiment which does not contain any added poisonous ingredient shall not be deemed to be adulterated in the following cases:

1. In the case of articles, mixtures or com-

pounds, which may now or from time to time hereafter, be known as articles of food, beverages, or condiments under their own distinctive names, and not included in definition 4th of this section.

2. In the case of articles labeled, branded or tagged, so as to plainly indicate that they are mixtures, compounds, combinations, imitations or blends.

3. When any matter or ingredient has been added to a food, beverage or condiment, because the same is required for the protection or preparation thereof, as an article of commerce, in a state fit for carriage or consumption and not fraudulently to increase the bulk weight, or measure, of a food, beverage or condiment, or conceal an inferior quality thereof, provided the same shall be labeled, branded or tagged as prescribed by the Board of Agriculture, so as to show them to be compounds and the exact character thereof; *provided, further*, nothing in this act shall be construed as requiring manufacturers of proprietary foods to disclose their trade formulas, except in so far as the provisions of this act may require to secure freedom from adulteration or imitation; *provided, further*, that the provisions of this act shall not be construed to apply to proprietary or patent medicine; *provided*, that it shall not apply to baking powders containing starch, wheat flour, bi-carbonate of soda and exsiccated alum, but it shall apply to any baking powder containing any other ingredient than those specifically named above, which may upon analysis be found deleterious to health.

4. Where the food, beverage or condiment is unavoidably mixed with some harmless or extraneous matter in the process of collection or preparation; *provided*, no person shall be convicted under the provisions of this act when he is able to prove a written guarantee of purity in the form approved by the Board of Agriculture as published in their rules and regulations, signed by the wholesale jobber, or party from whom he purchased said article.

Sec. 7. The Board of Agriculture is hereby authorized to cause all compounds, mixed or blended products, to be properly branded and prescribe how this shall be done.

Sec. 8. It shall be the duty of the Board of

Agriculture to prepare and publish from time to time lists of the articles, mixtures or compounds declared to be exempt from the provisions of this act in accordance with section 6. The Board of Agriculture shall also, from time to time, fix and publish the limits of variability permissible in any article of food, beverage or condiment, and these standards when so published shall remain the standards before the courts; *Provided*, that when standards have been fixed by the Secretary of Agriculture of the United States they shall be accepted by the Board of Agriculture and published as the standards for Virginia.

Sec. 9. Every person who exposes for sale, or delivers to a purchaser, any condiment, beverage or food, shall furnish within business hours, and upon tender of the selling price thereof, a sample of such condiment, beverage or article of food, to any person authorized by the Board of Agriculture to secure same, and who shall apply to such manufacturer or other person, for such sample for such use in sufficient quantity for the analysis of such article in his possession.

Sec. 10. Any person refusing to comply with the above requirements, or who shall impede or otherwise prevent any chemist, inspector, or other person in the performance of his duty, in connection with this, shall be guilty of a misdemeanor and fined not less than \$10 nor more than \$100, and imprisoned not more than one hundred days, or both.

Sec. 11. This act shall not interfere with any Inter-State Commerce Laws of the United States.

Sec. 12. Repeals all laws in conflict herewith.

SESSION LAWS OF 1901, PAGE 194. FLOUR.

Sec. 1. Provides every barrel of flour manufactured in the state, or shipped into the state, shall contain 196 pounds of flour, and have the number of pounds contained therein plainly stamped on one head.

Sec. 2. A failure to so stamp the number of pounds, as aforesaid, is punishable by a fine of \$25, and the sale of every such barrel shall constitute a separate offense.



DAIRY AND PURE FOOD LAWS OF WASHINGTON.

The Dairy and Pure Food Laws of the State of Washington are enforced by a Dairy Commissioner and a State Board of Dairy Commissioners. The State Dairy and Food Commission is composed of the following members:

E. A. McDonald, Commissioner, Seattle.

Prof. Elton Fulmer, State Chemist, Pullman.

Dr. James Bullivant, Deputy Dairy and Food Commissioner, Spokane.

H. H. Collier, Deputy Dairy and Food Commissioner, Tacoma.

AN ABSTRACT OF THE DAIRY AND FOOD LAWS IS AS FOLLOWS:

PART I.

Sec. 1. It is unlawful to sell, furnish or deliver to any creamery, cheese factory, corporation or person whatsoever, as pure, wholesome or unskimmed any unmerchantable, adulterated, skimmed, impure or unwholesome milk.

Sec. 2. In all prosecutions or other proceedings under this or any other law of this state relating to the sale or furnishing of milk, if it shall be proven that the milk sold, furnished or delivered or had in possession with intent to sell or delivered as pure any unwholesome or unskimmed milk containing less than 3 per cent of butter fat or less than 8 per cent of milk solids other than fat when subjected to a chemical analysis or other satisfactory tests, or that is drawn from cows known to have been within 15 days before or 4 days after parturition, or from cows having any disease or ulcers or running sores, then and in every case said milk shall be held and adjudged to be unmerchantable, adulterated, impure or unwholesome, as the case may be, and if it shall appear that cows kept for the production of milk or cream for market, sale or exchange or for manufacture into articles of food, are kept in a crowded or unhealthy condition, or are being fed on distillery waste or other substance in a state of putrefaction or rottenness, or upon any substance of an unhealthy nature, the milk or cream from the same is declared impure and unwholesome. Any milk or cream exposed or contaminated by emanations, discharges or exhalations from persons or animals, or to which has been added any borax, boracic acid, salicylic acid or any other poisonous substance which prevents or tends to prevent the normal bacterial actions of milk is declared to be impure and unwholesome.

Sec. 3. The Washington State Dairy Commissioner is authorized and directed to issue to cheese manufacturers under such regulations

as he may prescribe a uniform stencil or brand bearing a suitable device or motto and the words "Washington State Full Cream Cheese." Every brand issued shall be used on the outside of the cheese, and have a certain number for each manufactory; and the commissioner shall keep a record of the name, location and number of each manufactory using said brand, and the name or names of the persons authorized to use the same; and it shall be unlawful to use or permit such stencil or brand to be used upon any other than full cream cheese or packages containing same or such cheese only as shall contain 30 per cent of pure butter fat and be manufactured from pure and wholesome milk from which no portion of the butter fat has been removed, or in the manufacture of which neither butter nor any substance for butter or any animal or vegetable fats or oils have been used, or fat extracted from milk in any form and returned for the purpose of filling said cheese shall be stamped with the "state brand"; and cheese containing less than 30 per cent of pure butter fat shall be marked "Skimmed Cheese" in full faced capital letters not less than one inch high in ink not easily removed by moisture. The manufacture or sale of any cheese containing less than 15 per cent of pure butter fat or so-called "filled cheese" is prohibited: Provided this section shall not apply to Edam, Brickstein, Pineapple, Limberger, Swiss, hand-made or any other fancy cheese: Provided further that cheese not made in this state for sale here shall be so stamped as to indicate its true character: And provided further that no cheese shall be stamped "Full Cream" which does not in every particular comply with the requirements of "Washington Full Cream" cheese, except as to place of manufacture.

Sec. 4. The Dairy Commissioner shall furnish blanks to proprietors or managers of creameries, cheese factories or milk dairies that ship milk, and all vendors and peddlers of milk for the purpose of making a report of the amount of goods handled; and managers of such places, milk vendors or milk peddlers shall make an accurate report on said blanks to the Dairy Commissioner before the first day of November of each year. Every person engaged in purchasing or dealing in milk shall attach to each can furnished by him a tag containing in plain figures a correct statement of the capacity thereof. It is a misdemeanor to violate this section, punishable by a fine as provided in section 13: Provided information furnished as herein required shall be published in



E. A. McDONALD,
Washington State Dairy and Food Commissioner.



DR. JAMES BULLIVANT,
Washington, Deputy State Dairy and Food Commissioner



HARRY H. COLLIER,
Washington, Deputy State Dairy and Food Commissioner



PROF. ELTON FULMER,
Washington State Chemist.

WASHINGTON DAIRY AND FOOD COMMISSIONERS.

such form only as to show totals and averages, and not the details of the business of any individual or concern.

Sec. 5. Prohibits the manufacture, sale or service to patrons, guests, boarders or inmates of any hotel, eating house or public or private hospital, asylum, school or charitable or penal institution of any article, product or compound made wholly or partly out of any fat, oil or oleaginous substance or compound not produced directly and wholly from unadulterated milk or cream, with or without harmless coloring matter in imitation of yellow butter produced from pure unadulterated milk or cream: Provided this act shall not prohibit the manufacture and sale of oleomargarine in a separate and distinct form, and in such a manner as will advise the consumer of its real character, free from colorations or ingredients that causes it to resemble butter, or the use of the same, when signs are displayed in public eating houses.

Sec. 6. It is unlawful to sell, exchange or have in possession for sale any cheese containing any substance except salt, rennet and harmless coloring matter, other than that produced from pure milk or cream, or both, or from pure skimmed or half skimmed milk.

Sec. 7. The governor shall appoint a Dairy Commissioner. His term of office shall be four years.

Sec. 8. The Dairy Commissioner shall give bond in the sum of \$5,000.

Sec. 9. Said commissioner may appoint one or more deputies. They shall hold office at his pleasure; provided no deputy shall be employed at the cost of the state for more than 30 days in any one year; provided not more than six deputies shall be appointed.

Sec. 10. The Dairy Commissioner shall enforce the laws of this state regarding the production, manufacture or sale of dairy products, and personally inspect any articles of milk, butter, cheese or imitations thereof, and prosecute for violation of this act.

Sec. 11. It is the duty of the chemist of any state institution to analyze without extra compensation and without other charge to the state than necessary traveling expenses any and all substances that the dairy commissioner may send to any of them, and report to the commissioner the result of any such analysis. Such chemists shall assist the commissioner in prosecutions under this law.

Sec. 12. The commissioner and his deputy shall have power to enter any creamery, cheese or condensed milk factory, store, salesroom, warehouse or any place or building where he has reason to believe that any dairy product or imitation of dairy products are kept, made, prepared, sold or offered for sale or exchange, and to open any cask, tub, package or recep-

tacle containing any such article and cause same to be examined and analyzed; provided, if the person from whom such sample is taken shall request him to do so he shall at the same time and in the presence of such person seal up two samples of the article seized or taken, retaining one and giving the other to such person.

Sec. 13. Any person who shall violate this act or obstruct the dairy commissioner in the performance of his duties hereinunder shall be guilty of a misdemeanor and punished by a fine of not less than \$25 nor more than \$100, or by imprisonment for not less than one month nor more than six months, or both.

Sec. 14. The Dairy Commissioner shall receive an annual salary of twelve hundred dollars (\$1,200) and his necessary expenses in the discharge of his duties under this act; provided, that such expenses shall not exceed one thousand dollars (\$1,000).

Sec. 15. It is the duty of the Attorney General and the prosecuting attorney when called upon by the dairy commissioner to render any legal assistance to execute the laws in prosecuting cases arising under the provisions of this act: Provided such commissioner may employ special counsel when necessary.

Sec. 16. The Secretary of State, Professor of Agriculture of the Agricultural College, and the Dairy Commissioner are hereby created a State Board of Dairy Commissioners *ex officio*.

Sec. 17. The State Board of Dairy Commissioners shall receive no compensation, but shall be allowed necessary traveling expenses. Expenses shall be certified by said State Board of Dairy Commissioners.

Sec. 18. The State Board of Dairy Commissioners shall biennially on December 1st make report to the governor. Said report shall include proceedings with reference to the dairy industries of this state, expenses and disbursements of the board, full and complete statistics as to the manufacture, import and export of dairy products, and such suggestions as they may deem proper.

Sec. 19. Provides the manner in which expenses incurred under this act shall be paid.

Sec. 20. Provides an appropriation of \$6,000 for the term beginning April 1st, 1899.

Sec. 21. Provides for the disposition of fines collected hereinunder.

Sec. 22. All clerks, bookkeepers, express agents, railroad officials or employes of common carriers shall render to the dairy commissioner or his deputy all the assistance in their power in discovering the presence of any article named in this act. Any refusal by them or any of them to render such friendly aid shall be a misdemeanor, punishable by a fine of not less than \$25 nor more than \$100, or imprison-

ment for not less than one month nor more than 6 months, or both.

Sec. 23. Prohibits the sale of any cream taken from impure or diseased milk or which contains less than 18 per cent of pure butter fat. It is a misdemeanor to violate this section, punishable by a fine of not less than \$25 nor more than \$100, or imprisonment for not less than one month nor more than 6 months, or both.

Sec. 24. Every person who conveys milk in carriages, carts or other vehicles for the purpose of selling the same in any city or town in this state shall annually on the 1st day of June, or within 30 days thereafter, procure from the State Dairy Commissioner a license to sell within the limits of said city or town, and shall pay to the commissioner therefor the sum of \$1 for each carriage, cart or other vehicle to be used as provided for in section 29. Licenses shall be used only in the names of the owners of such carts, carriages or vehicles, and shall be conclusive evidence of ownership. No license shall be sold, assigned or transferred. Each shall contain the name, residence and place of business, number of carts or other vehicles used, and the number of the license. Each licensee shall before engaging in the sale of milk cause his name and the number of the license and his place of business to be legibly placed on the outside of all carriages, carts or other vehicles used by him in the sale or conveyance of milk. Whoever without being first licensed sells milk from carriages, carts or other vehicles shall be deemed guilty of a misdemeanor and be punished by a fine of not less than \$25 for each offense nor more than \$100, or by imprisonment for not less than one month nor more than 6 months, or both; provided, this section shall not apply to persons handling or using the milk from not more than two cows.

Sec. 25. Every person before selling milk or offering it for sale in a store, booth, stand, or market place in any town or city, shall procure a license from the State Dairy Commissioner and pay to said commissioner the sum of \$1 yearly within 30 days after June 1st. Any person who neglects to procure such license shall be guilty of a misdemeanor, punishable for each offense by a fine not less than \$25 nor more than \$100, or by imprisonment for not less than 1 month nor more than 6 months, or both.

Sec. 26. Prohibits the sale of any milk from which cream has been removed, or commonly called "skimmed milk," without first marking the can or package containing same with the words "skimmed milk," in large, plain black letters at least one inch high and one-half inch wide, on the side not below the middle of said can or package where they can be easily seen.

It is a misdemeanor to violate this section, punishable by a fine of not less than \$25 nor more than \$100 for each offense, or by imprisonment for not less than 1 month nor more than 6 months, or both.

Sec. 27. Provides for the disposition of moneys received for licenses or goods confiscated by the Dairy Commissioner.

Sec. 28. Possession of any article or substance prohibited by this act is *prima facie* evidence of a violation hereof, and the commissioner is authorized to seize and upon order of court sell the same for any purpose other than to be used for food.

Sec. 29. The commissioner is authorized and directed to issue to manufacturers of creamery butter a uniform brand bearing a device or motto and the words "Washington Creamery Butter." Every brand shall be used on the wrapper of each package and also on the outside of every package used by him, and contain a different number for each manufactory, and the commissioner shall keep a book in which shall be registered the name, location and number of each manufacturer using said brand. It is unlawful to use or permit such brand to be used upon any other than Washington creamery butter, or package containing the same. It is a misdemeanor to violate this section, punishable by a fine of not less than \$25 nor more than \$100, or by imprisonment for not less than 1 month nor more than 6 months, or both.

Sec. 30. Prohibits the manufacture or sale or possession with intent to sell butter known as "Process Butter," unless the package in which such butter is sold has marked on the side of it the words "Renovated Butter" in capital letters 1 inch high and $\frac{1}{2}$ inch wide with ink not easily removed: Provided that it shall be unlawful for any retailer to sell butter unless a card is displayed on the package with the following words printed thereon so that it may be easily read by the purchaser: "Renovated Butter." or if it is sold in packages on which a wrapper is used the words "Renovated Butter" shall be plainly printed on each and every wrapper: Provided further that all process butter shipped from other states shall be subject to the same regulations as provided in this section. It is a misdemeanor to violate this section, punishable by a fine of not less than \$25 nor more than \$100, or imprisonment not less than 1 month nor more than 6 months.

PURE FOOD LAW.

PART 2.

Sec. 1. Prohibits the sale or manufacture of any adulterated food within the meaning of this act.

Sec. 2. The term "food" shall include all articles used for food, drink or condiment by

man, whether mixed, single or compound. The term "misbranded" as used herein includes all articles of food or articles used in the composition of food or condiments, the packages or labels of which shall bear any statement purporting to name any ingredient or substance not contained in such article which statement shall be false in any particular; or any statement purporting to name the substance of which said article is made, which statement shall not fully give the names of all the substances contained in the article in any measurable quantity, or which names as a single article of food any mixture or compound. The term "drink" as used herein shall not include liquids containing 2 per cent or more of alcohol.

Sec. 3. An article shall be deemed adulterated in the case of food or drinks:

(1) If any substance or substances has or have been mixed and packed with it so as to reduce or lower or injuriously affect its quality or strength so that such product when offered for sale shall deceive or tend to deceive the purchaser.

(2) If any inferior or cheaper substance or substances has or have been substituted wholly or in part for the article so that the product when sold shall deceive or tend to deceive the purchaser.

(3) If any valuable constituent of the article has been wholly or in part abstracted so that the product when sold shall deceive or tend to deceive the purchaser.

(4) If it be an imitation of or sold under the specific name of any other article.

(5) If it be mixed, colored, coated, powdered or stained in a manner whereby damage or inferiority is concealed, so that such product when sold shall deceive or tend to deceive the purchaser.

(6) If it contains any added poisonous ingredients, or any ingredients which may render such article injurious to the health of the persons consuming it.

(7) If it be misbranded, labeled or branded so as to mislead or deceive the purchaser.

(8) If it consists of the whole or any part of a diseased, filthy, decomposed, or putrid animal or vegetable substance or any portion of any animal unfit for food, whether manufactured or not, or if it is the product of a diseased animal or of any animal that has died otherwise than by slaughter: Provided, that an article of food which does not contain any added poisonous ingredient shall not be deemed to be adulterated in the following cases: First, in the case of mixtures or compounds which may be now or from time to time hereafter

known as articles of food under coin names and not included under definition four of this section. Second, in the case of articles labeled, branded or tagged so as to plainly indicate that they are mixtures, compounds, combinations, imitations or blends: Provided, that the same shall be labeled, branded or tagged so as to show the character and constituents thereof. Third, when any articles or ingredient has been added to foods because the same is required for the preparation or production thereof as an article of commerce, in a state fit for carriage, consumption, and not fraudulently to increase the bulk, weight or measure of the food, or conceal the inferiority thereof: Provided further, that no dealer shall be convicted under the provisions of this act if he shall prove a written guarantee of purity in a form approved by the Dairy and Food Commissioner: And provided further that the guarantor is a resident of the state of Washington. Fourth, when food is unavoidably mixed with some extraneous substance in the process of collection or preparation.

Sec. 4. The guarantee referred to in definition 8 of section 3 shall contain the full name and address of the person making the sale to the dealer, and such person shall be held liable to all prosecutions, fines or other penalties which would attach to the dealer under the provisions hereof.

Sec. 5. Possession of any article of food the sale of which is prohibited herein, or being the consignee thereof, is *prima facie* evidence that the same is kept or shipped in violation of this act; and the Dairy and Food Commissioner is hereby authorized to seize, open and take into possession such articles of food and apply to the superior court of the county in which the same are seized for an order directing him to dispose of or sell the same and apply the proceeds to the general fund, less the amount required to reimburse the purchaser for actual loss as shown by the bill, provided he or they have a guarantee as required in section 4: Provided that said Dairy and Food Commissioner shall first give notice to the person in whose possession such goods are found, or if the same are found in the possession of the common carrier then to the consignee of such food, notifying such person that he has seized said goods and made application as aforesaid and that he will call said application for a hearing on a day certain not less than ten days from the service of said notice, and that said person shall show cause why the prayer of said petition should not be granted. Upon the hearing of said cause all affidavits and all testimony may be introduced to establish the contention of the respective parties.

Hearing, however, may be had at an earlier date by mutual consent.

Every person selling, exhibiting or offering for sale, manufacturing or having in possession, or serving or delivering to a purchaser any article of food included in the provisions of this act shall furnish to any person demanding same, provided the price thereof be tendered, a sample sufficient for analysis of such article of food.

Sec. 7. The State Dairy Commissioner shall also be the State Food Commissioner, and shall be known as the Dairy and Food Commissioner; and he shall receive in addition to the salary as State Dairy Commissioner \$600 per year as extra compensation for enforcing the provisions of this act. He shall have power to appoint deputies as may be necessary and pay therefor not to exceed \$3 per day: Provided, however, that the total salaries of all deputies employed by him shall not exceed the appropriation made therefor.

Sec. 8. It is the duty of the chemist of the State Agricultural Experiment Station to analyze any and all substances that the Dairy and Food Commissioner may send to him, and report to the commissioner without unnecessary delay the result of any analysis, and when called upon by the commissioner shall assist in prosecutions.

Sec. 9. It is the duty of the Attorney General and the prosecuting attorney of any county in this state when called upon by the Dairy and Food Commissioner to render legal assistance: Provided, the Dairy and Food Commissioner may employ special counsel.

Sec. 10. The Dairy and Food Commissioner or his deputy shall have power in the performance of their duties to enter any restaurant, eating-house, hotel, public conveyance, public or private hospital, school or charitable or penal institution where foods are served and take for analysis any article of food or ingredients which enter into the composition of foods there used. Any article of food or ingredients entering into the same if found to be adulterated shall be *prima facie* evidence that the same is kept to be used to serve to patrons, guests, boarders or inmates of such institutions; and the person owning or operating said restaurant, boarding house, hotel, etc., having in his possession adulterated foods shall be deemed to have same contrary to the provisions of this act.

Sec. 11. It is a misdemeanor to violate this act, punishable by a fine of not less than \$25 nor more than \$100; or in case of a second offense to be imprisoned not less than 30 days nor to exceed 90 days, or both fine and imprisonment. Any person guilty of selling or having in his possession with intent to sell or serve, or manufacturing any adulterated article of food

under the provisions of this act, shall pay in addition to the penalties herein provided for the necessary costs and expenses in inspecting and analyzing such adulterated food: Provided penalties and costs shall be paid to the Board of State Dairy and Food Commissioners or to their agents.

Sec. 12. The State Dairy and Food Commission *ex officio* shall be the State Board of Dairy and Food Commission, and said board shall be known as the State Board of Dairy and Food Commissioners.

Sec. 13. Provides for payment of expenses incurred under the provisions of this act.

Sec. 14. Requires the Dairy and Food Commissioner to publish a monthly report of the work of his office.

Sec. 15. Repeals an act to provide against the adulteration of food, approved March 13, 1899.

PART IV.

The rules and regulations as prepared by the State Dairy and Food Commissioner, and as set forth by him in a pamphlet entitled "Dairy and Food Laws of Washington and Rules and Regulations," published in 1901, are herewith presented in full as follows:

PART IV.—RULES AND REGULATIONS.

The term "misbranded" may be defined as follows: An article shall be considered misbranded if there is a false statement printed upon the label.

The brand or label on every article of food shall be printed in English, except where the foods are manufactured in a country not speaking the English language.

All mixtures, compounds, combinations, imitations, or blends shall be labeled, branded or tagged so as to plainly indicate that they are mixtures, compounds, combinations, imitations or blends, and the character and constituents thereof shall be plainly printed on the label.

Third, a coin name is defined as a word to designate any mixture, compound, combination or blend used as an article of food, which is, or has been, an addition to the vocabulary of the English language.

All drinks containing less than two per cent alcohol, soda water syrups and fruit syrups, shall not contain any saccharine, salicylic, benzoic or boric acid. All soda fountain syrups and fruit syrups, if artificial, shall have the word "artificial" printed on the label of the package, in the same size, style and color of letter and background as the name of the article. All soda fountains, or places where soft drinks are sold or served shall have printed on a placard the words "Artificial Drinks," and hung in front of the fountain or in a conspicuous place.

The use of coal tar dyes in coloring food products is prohibited.

Saccharine cannot be used in food products.

All eating houses, hotels, restaurants, etc., shall be subject to the same rules and regulations as provided for dealers of food products.

Refilling bottles, cans or dishes of any description with a different product than they contained originally, without removing the label, will be considered a violation of the law. Having on the table will be an evidence of serving.

All compound bulk goods shall be put up in packages which will show that they are compounds, with a statement of the character and constituents printed thereon.

The use of salicylic acid as a preservative is prohibited.

All decomposed, putrid, infected or rotten animal, vegetable or fruit substance, and articles, whether manufactured or not, cannot be sold without violating the law.

BAKING POWDERS.—Baking powders can be sold without formula, but if labeled "Cream of Tartar," "Phosphate Powder," etc., shall state the character and constituents thereof, and shall contain no ingredients injurious to health.

BUCKWHEAT FLOUR, if labeled "Buckwheat Flour," shall be true to name. It can be mixed with a substance not injurious to health if sold as "Buckwheat Flour Compound," with the character and constituents printed on the label. Buckwheat flour containing no other substance but for leavening and seasoning purposes may be sold if labeled "Self Rising Buckwheat Flour."

BUTTER.—It must be made exclusively of milk and cream. It may be colored with coloring matter not injurious to health. Every creamery shall secure a state brand from the commissioner. It shall be unlawful to use such brand upon any other than Washington creamery butter, or packages containing the same. Process butter in tubs or cases shall be marked "Renovated Butter" in capital letters one inch high and one-half inch wide, with ink which is not easily removed. Every print shall have on it a wrapper containing the words "Renovated Butter" printed thereon so that it may easily be read by the purchaser, and every tub from which it is sold shall have on it a card on which are the words "Renovated Butter" so that it may be read from any part of the room. All butter shipped into the state from other states is subject to the same rules and regulations.

CANDY must not contain terra alba, barytes, talc or other earthy or mineral substances or any colors, flavors or ingredients injurious to health.

CATSUP shall contain no ingredient injurious

to health. Tomato catsup shall be the product of the tomato.

CHEESE shall be made exclusively of milk or cream. Every cheese factory is required to secure from the commissioner the state brand. The brand shall be used on the outside of the cheese and shall have a different number for each separate manufactory. The said brand shall not be used on any other but full cream cheese, containing not less than 30 per cent of butter fat. All cheese containing less than 30 per cent of butter fat shall be marked "Skimmed Cheese" in full faced capital letters not less than one inch high and one-half inch wide. The manufacture and sale of any cheese containing less than 15 per cent of butter fat or filled cheese is prohibited.

COFFEE if sold as such shall be true to the name. It may be mixed with chicory or other substances not injurious to health, if marked so as to plainly indicate that it is a compound, with the character and constituents thereof printed on the label or package.

COFFEE SUBSTITUTES.—Mixtures of cereals or other articles sold as a substitute for coffee shall be sold as a mixture or compound under an original or coin name.

CHOCOLATE AND COCOAS if containing no other cocoa mass, sugar and flavoring, will not be classed as an adulteration.

CREAM OF TARTAR shall be pure and true to name. If compounded with any other article the character and constituents of the compound shall be stated on the package.

EXTRACTS.—Vanilla shall be made from the vanilla bean. Extracts made of more than one principle shall be labeled with the name of each principle or with the name of the inferior or adulterant. For example, an extract made from vanilla and tonka shall be labeled "Extract of vanilla and Tonka" or "Extract of Tonka." In all cases it is understood that when an extract is labeled with more than one name the type used is to be similar in size, and the name of any one of the articles shall not be given greater prominence than the other. Extracts that are not made from the fruit, berry or bean and are made artificially, such as raspberry, strawberry, pine-apple or banana, shall be labeled "Artificial flavor."

Farinaceous goods shall be true to name. Barley, hominy, cracked or rolled wheat or oats, tapioca and like articles shall be pure and unadulterated. If mixed or compounded with other articles shall be sold as a mixture or compound and not under the name of any ingredient contained therein. The compound shall show the character and constituents thereof.

Honey shall be pure. If mixed with glucose, cane sugar or other substances shall be labeled so as to show that it is a compound, with the

names of the constituents printed on the package.

Jelly shall be true to name. Imitation fruit jellies, butters or other similar compounds, made or composed in whole or in part of glucose, dextrine, starch or other substances may be sold if uncolored and are distinctly labeled "Imitation fruit, jelly or butter," with the character and constituents printed on the label or package.

Lard shall be true to name. Imitation lard in the manufacturers' packages shall be distinctly branded or labeled so as to show that it is a compound. The character and constituents of the compound shall be printed on the label. This also applies to small quantities when put up for immediate delivery.

Maple sugar and maple syrup shall be pure and true to name. They may be mixed with other sugar and syrup and sold as "Maple sugar compound" or "Maple syrup compound" with the character and constituents printed on the package.

Milk shall not contain less than 3 per cent of butter fat, and 8 per cent solids other than fats. A can containing milk from which the cream has been removed shall be labeled "Skimmed milk" in large, plain, black letters, each letter being at least one inch high, and one-half inch wide, said words to be on the side, not below the middle of said can or package. The sale of milk which is impure or adulterated, or from cows which are diseased, or being fed on distillery waste or other substances in a state of putrefaction or rottenness, or any substances of an unhealthy nature, or from cows kept by a family in which there is an infectious disease, is prohibited.

Molasses shall be branded with its true and proper name, and shall be true to same. If mixed with other syrups shall be sold as "Molasses compound," with the character and constituents stated on the package.

Oleomargarine shall not be sold in this state unless free from coloration or ingredient that causes it to look like butter. Oleomargarine shall be branded as such. Stores, hotels, restaurants, boarding houses, etc., shall have conspicuously hanging in the center or placed on the side of any store or room where it is sold or furnished, a white placard, on which is printed in black ink, in plain Roman letters the words "Oleomargarine sold here or used here," in letters which may be read from any part of the room.

PANCAKE FLOUR if containing more than one article shall be sold as a mixture or compound,

and not under the name of any ingredient contained therein, and shall have on the label a statement of the character and constituents thereof.

PREPARED MUSTARD.—Pure mustard, mixed with vinegar and spices, may be sold as "Prepared Mustard," but if any substance or substances are added to cheapen it, such as flour, etc., it shall be deemed adulterated unless the character and constituents thereof are stated on the package. Printed matter descriptive of the goods will be allowed upon the label below the words "Prepared Mustard."

SYRUP.—Each barrel, cask, pail or bottle containing syrup, molasses or glucose shall be distinctly branded or labeled with the true and proper name of such article, and, if compounded, shall be sold as "Syrup Compound," with the constituents plainly printed on the package.

SPICES shall be pure and true to the name. If compounded with any other article shall be sold as a "compound" with the character and constituents of the compound stated on the package.

VINEGAR.—All vinegars shall contain not less than $3\frac{1}{2}$ per cent of acetic acid, and shall not contain any preparation of lead, copper, sulphuric acid, or ingredients injurious to health. All vinegars made by fermentation and oxydation shall be branded "Fermented Vinegar," with the name of the fruit or substance from which the same is made. Shall be free from foreign substance and shall not contain less than $1\frac{3}{4}$ per cent of solids contained in the fruit or grain from which said vinegar is made, and not less than 2.5 of 1 per cent ash or mineral matter, the same being the material from which said vinegar is manufactured. All vinegars made wholly or in part from distilled liquor shall be branded "Distilled Vinegar," and shall be free from artificial coloring matter. Only vinegar made from pure apple juice, free from foreign substances, products or acids, and containing not less than $1\frac{3}{4}$ per cent of cider solids, may be sold as apple, orchard or cider vinegar.

PEAS AND PICKLES colored with copperas will be considered a violation of the law.

These rulings must not be considered as law, but as an interpretation of the law by the commissioner. The law is also published so that you may use your judgment as to its meaning. In case of suit the law and not my rulings will be considered by the court.

FORM OF GUARANTY.

WHOLESALESALE'S AND MANUFACTURERS' GUARANTY.

(Form Approved by E. A. McDonald, State Dairy and Food Commissioner.)

(Blank & Blank), the undersigned, whole-salers (or manufacturers), in consideration of



The E. C. Flaccus Co.

MANUFACTURERS AND PACKERS OF

STAG BRAND FOOD PRODUCTS.

Consisting of

*Catsup, Pickles, Preserves,
Mustard, Sauces, Canned Goods
and a general line of table condiments.*

*Canning Factory,
Barnesville, O.*

*Office & Factory,
Wheeling, W. Va.*

82 New Railroad Towns

ON THE VARIOUS NEW LINES OF RAILROAD IN

Illinois, Western Iowa, Minnesota and South Dakota

Recently constructed by



*Stations have been established
and towns laid out
by the Railway Company
at eighty-two different points.*

The country traversed by these new lines is unsurpassed for richness and fertility, and is now thickly settled by an industrious and thrifty set of farmers, who have hitherto depended on distant railroad towns to market their produce. Tributary to each of these new towns is a territory comprising about twenty-five thousand acres of *RICH FARMING LANDS*. Each will be a market for over a half million bushels of grain and will be the means of distributing to the neighboring farmers over a *QUARTER MILLION DOLLARS* annually.

Reference to reliable statistics will demonstrate the fact that the pursuits of *AGRICULTURE, STOCK RAISING* and *DAIRYING* in these states are attended with profitable results.

The North-Western Line

with its 8,825 miles of standard railway and its unexcelled passenger and freight service, offers excellent opportunities for the manufacturer, business man and home-seeker.

H. R. McCULLOUGH,
Third Vice President.

MARVIN HUGHITT, Jr.
Freight Traffic Manager.

W. B. KNISKERN,
Gen'l Pass'r & Ticket Agent.

(Jones & Brown, Blank, Wash.), retail merchants, purchasing food from us, hereby guarantee that all food sold to them shall be such as is permitted to be used by that certain act of the legislature of the State of Washington, entitled, "An act to provide against adulteration of food and fraud in the sale thereof; creating a State Board of Food Commissioners, defining their duties, and providing for an officer to be known as the State Dairy and Food

Commissioners; providing for the enforcement of the law and fixing a penalty for the violation thereof, and making an appropriation, declaring an emergency, repealing 'An act to provide against the adulteration of food, approved March 13, 1899,' which said act was approved March 16th, 1901; this guaranty to remain in force until revoked in writing.

Blank & Blank, ——— Wash.,
Wholesalers (or Manufacturers).

PURE FOOD LAWS OF WEST VIRGINIA.

The statutes of this state providing against the adulteration of articles of food or drink are but few. No provision has been made by the legislature for the enforcement of these laws. There is no food or dairy commission. A digest of the laws is as follows:

CHAPTER 150.

Sec. 19. Provides that if a person knowingly sells any diseased or unwholesome provisions, whether food or drink, without making the same known to the buyer, he shall be imprisoned not more than 6 months and fined not exceeding \$100.

Sec. 20. If a person fraudulently adulterate, for the purpose of sale, anything intended for food or drink, or knowingly sell or exchange anything intended for food or drink, not what it is represented to be or sold for, he shall be imprisoned not more than 1 year and fined not exceeding \$500, and such adulterated articles shall be forfeited and destroyed.

Sec. 20 a. Any person who manufactures, sells or offers for sale, any substance purporting to be or resembling butter or cheese, and not made wholly from pure cream or pure milk, unless each package, roll or parcel thereof, or vessel containing one or more packages of the same has been distinctly, legibly and durably

printed, stamped or marked thereon with the true name of such substance, and that it is not made wholly from pure milk or pure cream, as the case may be, and any person who sells to a consumer such substance not so marked or stamped without delivering to the customer a written or printed statement that it is not wholly made from pure milk or cream, shall be fined not less than \$10 nor more than \$100, and be imprisoned until the costs are paid, not exceeding three months. But nothing contained in this act shall be construed to prohibit the use of skimmed milk, salt, rennet or harmless coloring matter in the manufacture of butter and cheese.

ACTS OF 1891, CHAPTER 8.

Sec. 1. From and after the passage of this act it shall be unlawful for any manufacturer or vendor of oleomargarine, artificial or adulterated butter, to manufacture or offer for sale within the limits of this state, any oleomargarine, artificial or adulterated butter, whether manufactured within or without the state, unless the same be colored pink.

Sec. 2. Any person violating any provision of this act shall be guilty of a misdemeanor and upon conviction be fined not less than \$20 nor more than \$100 for each offense.





*Raise the Little Ones on Bread
Raised With*

Red Star Compressed Yeast

This bread will retain the natural flavor of the wheat, because of the quick raising power of the yeast—will be light, wholesome and appetizing—retain the protein and phosphates of the grain, that make brain and brawn.

Red Star Compressed Yeast can be secured through local agencies or direct from the factory.

Dealers who wish to handle it can arrange for their supply by writing for prices and information.

Red Star Compressed Yeast Co.
79-81 Buffalo St. MILWAUKEE, WIS.

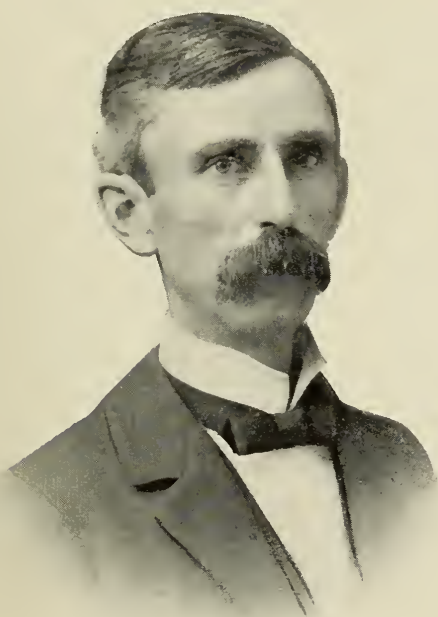
The WM. LARSEN CANNING CO.'s

GREEN BAY, WISCONSIN

Packers of

Lily, Green Bay, North Shore, Ceres and Foreman

BRANDS OF **Canned Goods:** Canned Peas, Tomatoes, Corn, Beans,
Beets and Sauer Kraut.



HON. H. C. ADAMS.
Dairy and Food Commissioner, Wisconsin.



C. W. SWEETING,
Asst. Dairy and Food Commissioner, Wisconsin.

DAIRY AND FOOD COMMISSION OF WISCONSIN.

THE ALBERT LANDRETH CO.

PACKERS OF

“LAKE SIDE”

AND

“EUREKA”

BRANDS

OF

PEAS

MANITOWOC, WISCONSIN.

“WE PACK NOTHING BUT PEAS

and aim to put up only high-grade goods. EVERY
CAN IS GUARANTEED to be strictly pure, with nat-
ural flavor, and contain no preservative.” :: :: :: ::

PURE FOOD LAWS OF WISCONSIN.

In the State of Wisconsin the pure food laws are enforced by a commission appointed for that purpose by the governor, consisting of the following members:

H. C. Adams, Commissioner.
C. W. Sweeting, Assistant Commissioner.
A. S. Mitchell, Chemist.
N. J. Field, Dairy Inspector.
Florence Q. Norton, Clerk and Stenographer.

The laws governing the administration of the manufacture, inspection and analysis of the food supplies in this state are in substance as follows:

1.—(Sec. 1410, Statutes of 1898). The Dairy and Food Commissioner shall be appointed by the governor for two years. Said commissioner may appoint an assistant, chemist, and an agent for the inspection of milk dairies, factories and creameries. The compensation of such agent shall be \$3 per day and expenses. The commissioner may also appoint a stenographer or official clerk.

2.—(Sec. 1410 a, Statutes of 1898.) It is the duty of the commissioner to enforce laws regarding the production, manufacture or sale of dairy products, the adulteration of any article of food or drink, or of any drug; and to inspect milk, butter, lard, syrup, coffee, tea, or other articles of food or drink or drug which may be impure, unhealthful, adulterated or counterfeit; and to prosecute for violations hereof. The district attorney in any county in which a violation of this law occurs shall assist said commissioner or his assistants. The commissioner shall have power to appoint, with the approval of the governor, special counsel to assist in any prosecution under this act.

3.—(Sec. 1410 b, Statutes of 1898). The commissioner or his agent or assistant shall have access to any barn or stable where any cow is kept or milked, and to any factory, building, dairy or premises where any dairy product is manufactured, handled or stored, where the milk from such cow or such product is to be sold or shipped, and may enforce necessary measures to secure cleanliness in and around the same, and of any utensil used therein, and prevent the sale of diseased milk. Either of them may enter any place or into any building for the purpose of examining or analyzing the contents of any article of food, drink or drug. Either may take samples thereof for the purpose of having same analyzed; provided that upon the request of the person from whom same is taken two samples shall be sealed up, one of which shall be given to the commissioner and the other to the person from whom same

is taken. The commissioner shall adopt a uniform stencil bearing the words "Wisconsin Full Cream Cheese" and a space for a number, and he may prescribe regulations for the use thereof for the proprietor or manager of any cheese manufactory. He shall register the name, location and number of each factory using such stencil.

4.—(Sec. 1410 c, Statutes of 1898.)—The State Board of Health, local boards of health, village boards or common councils, may submit to said commissioner samples of water or other drinks or food or drugs for analysis, and the same shall be examined and reports thereof made to the body of officers or others submitting the same; such reports shall be accepted in all courts and places as prima facie evidence of the properties or conditions of the articles analyzed.

5.—(Sec. 1410 d, Statutes of 1898.) The governor may authorize the commissioner or his assistant to give such aid to Farmers' Institutes, Dairy and Farmers' Conventions, and the Agricultural Departments of the state as he may deem advisable. The necessary expenses of making the analysis contemplated in the foregoing shall be limited by the commissioner to \$600.00 annually.

6.—(Sec. 1607 h, Statutes of 1898.) Any person who shall obstruct the Dairy and Food Commissioner of this state or his assistants in the performance of their duty, by refusing entrance to any place he is authorized to enter, or refusing to deliver samples of articles specified in this act, if the value thereof is tendered, shall be punished for the first offense by a fine not exceeding \$25 and for each subsequent offense by a fine not exceeding \$500 nor less than \$50.

SALE OF IMPURE MILK AND CREAM.

7.—(Sec. 4607, Statutes of 1898.) Any person who shall sell or furnish or deliver or have in his possession with intent to sell as pure, wholesome and unskimmed any unclean or unmerchantable or adulterated or impure milk shall be fined not less than \$25 nor more than \$100.

8.—(Sec. 4607 a, Statutes of 1898.) In all prosecutions under any section of this act for the sale of unmerchantable, adulterated or impure milk and cream which shall be proven to contain less than three per cent of pure butter fat under chemical analysis, or that has been diluted, or any part of the cream abstracted therefrom, or any part thereof drawn from a cow known to have been at the time it is drawn within fifteen days before or less than four days after parturition or known to have any disease,

Algoma Packing Company,

Algoma, Kewaunee County, Wisconsin

JOSEPH VILAS, President
Manitowoc, Wis.

J. STILWELL VILAS, Secy & Treas
Kaukauna, Wis.

~~~~~  
Growers and  
Packers of  
High Grade

**Marrowfat,  
Early June,  
Champion,  
Telephone  
and Sweet  
Algoma Peas**

~~~~~  
Under the
Bonnibel, Corsair
and Wolf River
Brands and Labels
~~~~~

Located farther north and east than any Packing Plant on the Wisconsin Shore, our peninsular position, fanned by the cooling winds and laved by the crystal waves of northern Lake Michigan supplies the soil, water and temperature best adapted to the production and preservation of choice peas. For brining we use pure spring water, drawn from the living rock through deep sunk artesian wells and the highest grades of refined sugar and dairy salt.

Perfection of equipment, cleanliness of plant, appliances and utensils in use, with the most approved sanitary system of drainage enables us to produce goods of superior quality and purity. From vine to can the peas are manipulated with marvelous rapidity by machinery only and are never brought in contact with human hands.

ulcers or running sores, then such milk shall be held or found to be unmerchantable or adulterated, as the fact may be. Proof of adulteration or skimming may be made with standard tests and lactometers as are used to determine the quality of milk by chemical analysis.

9.—(Sec. 1, chapter 313, Laws of 1899.) Provides that no person shall sell, furnish or deliver milk or cream drawn from sick or diseased cows, or cows kept in a filthy or unsanitary condition; or from cows fed on refuse or slops from distilleries or vinegar factories, unless such refuse or slops be mixed with other dry sanitary grain or food of a consistency of a thick mush.

10.—(Sec. 2, chapter 313, Laws of 1899.) No person shall sell, furnish or deliver any milk or cream containing any foreign substance or coloring matter or any chemical or preservative, whether for the purpose of increasing the quantity of milk or cream or improving its appearance, or for preserving the sweetness thereof, or for any other purpose; provided this act shall not prohibit the sale of pasteurized milk or cream, to which viscogen or sucrate has been added for the purpose of restoring the viscosity, if the same be distinctly labeled so as to advise the purchaser of its true character.

11.—(Sec. 3, chapter 313, Laws of 1899.) Any violation of this act is punishable by a fine of not less than \$25 nor more than \$100 for each and every offense.

#### IMITATION CHEESE AND BUTTER.

12.—(Sec. 4607 c, Statutes of 1898.) Prevents the manufacturing or selling of any cheese manufactured by the use of skimmed milk to which has been added any fat which is foreign to such milk; and skimmed milk cheese, or cheese manufactured from milk from which the fat originally contained therein has been removed, except such last mentioned is 10 inches in diameter and 9 inches high; also prevents the manufacture or sale of any article or compound made out of any fat or oleaginous substance or compound thereof not produced from unadulterated milk or cream from the same, without admixture of addition of any fat foreign to said milk or cream, in imitation of yellow butter produced from said milk or cream, with or without coloring matter, and declares a penalty for a violation of this section of a fine of not more than \$500 nor less than \$50 for the first offense, and for each subsequent offense by imprisonment in the county jail not to exceed 60 days nor less than 10 days, or by fine of not less than \$100 nor more than \$500, or both fine and imprisonment. Nothing in this section shall prohibit the sale or manufacture of oleomargarine in such manner as will advise the consumer of its real character and free from

colorations or ingredients that causes it to look like butter.

13.—(Sec. 4607 d, Statutes of 1898.) Provides that any person who shall sell to any purchaser for butter any oleomargarine, butterine, or any similar substance made in imitation of pure butter, not made entirely from the milk of cows, with or without coloring matter, or who shall sell oleomargarine, butterine, or substances not distinguished on the outside of each tub, package or parcel by a placard containing the word "oleomargarine," and not having also upon every package or parcel such word printed in plain uncondensed Gothic letters not less than one inch long, and not containing any other words thereon; or who shall sell oleomargarine, butterine or similar substances from any dwelling or public place without having conspicuously posted thereon a placard in letters not less than four inches in length with the words "oleomargarine sold here," or "butterine sold here," which placard shall be approved by the Dairy and Food Commissioner of this state; or who shall sell or deliver from any cart, wagon, or vehicle, oleomargarine, butterine or similar substances without having said vehicle placarded on both sides in uncondensed Gothic letters not less than three inches in length "Licensed to sell oleomargarine," or who shall furnish to any hotel, boarding house, restaurant or lunch counter, oleomargarine, butterine or any similar substance to any guest or patron thereof without first notifying such guest or patron that such substance is not butter, shall be punished as provided in the last preceding section.

14.—(Sec. 4607 e, Statutes of 1898.) Prevents the use in any penal, charitable or correctional institutions of any butter or cheese not made wholly and directly from pure milk and cream, salt and harmless coloring matter, and punishes violations of this section by a fine not exceeding \$50 nor less than \$25 for the first offense, and for each subsequent offense by imprisonment in the county jail not more than 90 nor less than 10 days, or by fine not exceeding \$100 nor less than \$50, or both.

#### RENOVATED BUTTER.

15.—(Sec. 1, chapter 76, Laws of 1899.) Prevents the sale, exchange or delivery of renovated butter or butter which has been melted and its rancidity removed or masked, or which has been regranulated, colored and prepared in imitation of genuine creamery butter, unless same shall be marked on the outside of each package or parcel thereof by a label printed with the words "renovated butter," and upon every tub, package or parcel thereof a placard with such words printed, such words or brand in each case to be printed in plain uncondensed



Gothic capitals not less than one inch long, and such placard shall contain no other words.

16.—(Sec. 2, chapter 76, Laws of 1899.) It is a misdemeanor to violate the foregoing section, punishable by a fine of not less than \$25 nor more than \$100.

#### FRAUD IN LABELING CHEESE.

17.—(Sec. 4438 g, Statutes of 1898.) Any person who shall sell or consign cheese labeled with a false brand or label as to quality thereof, or shall use any stencil or label furnished by the Dairy and Food Commissioner of this state and bearing the words "Wisconsin full cream cheese" otherwise than upon the bandage on the side of full cream cheese, and upon the package containing the same, shall be punished by a fine of not more than \$50 nor less than \$25.

#### CLEANLINESS OF DAIRY COWS AND UTENSILS.

18.—(Sec. 4607 j, Statutes of 1898.) Any person owning or managing a dairy, the product of which is sold for family use, who shall feed his cows upon unwholesome food, or keep them in unclean stables, or handle the milk in unclean utensils, shall be deemed guilty of a misdemeanor and fined not less than \$25 nor more than \$100 for the first offense, nor more than \$200 nor less than \$100 for each subsequent offense.

#### FRAUD IN DAIRY MANUFACTORIES.

19.—(Sec. 1494 a, Statutes of 1898.) Any butter or cheese manufacturer who shall use or allow any person to use any milk or cream brought to him without the consent of the owner thereof, or who shall refuse or neglect to keep a correct account of the amount of milk daily received, or of the number of pounds of butter and the number and aggregate weight of cheese made by him each day or of the number of cheese cut or otherwise disposed of, and the weight of each, shall for any and each offense forfeit not less than \$25 nor more than \$100, one-half of which shall be paid to the person upon whom any such fraud has been committed, and who first complained thereof.

#### ADULTERATION OF FOOD, DRUGS OR LIQUORS.

20.—(Sec. 4599, Statutes of 1898.) Any person who shall sell corrupted or unwholesome provisions, whether for meat or drink, without notifying the buyer thereof, shall be punished by imprisonment in the county jail not more than six months or by fine not exceeding \$100.

21.—(Sec. 4600, Statutes of 1898.) Any person who shall sell, exchange or deliver any drug or article of food which is adulterated shall be fined not less than \$25 nor more than \$100 or imprisoned in the county jail not less than 30 days nor more than 4 months. The term "drug" as used in this section shall in-

clude all medicines for internal or external use, anutiseptic, disinfectant or cosmetic; the term "food" as used herein shall include all articles used for food or drink by man, whether single, mixed or compounded.

22.—(Sec. 4601, Statutes of 1898.) An article shall be deemed to be adulterated within the meaning of the preceding section:

1. In the case of drugs: First, if when sold by a name recognized in the United States Pharmacopoeia it differs from the standard of strength, quality or purity laid down in the latest current edition thereof. Second, if when sold under or by a name not recognized in said pharmacopoeia, but which is found in the pharmacopoeia of some other country, the national formulary or other standard work on materia medica, it differs materially from the standard of strength, quality or purity laid down in the latest edition of said work. Third, if its strength, quality or purity falls below the professed standard under which it is sold.

2. In the case of food: First, if any substance or substances have been mixed with it so as to lower or depreciate or injuriously affect its strength, quality or purity. Second, if any inferior or cheaper substance has been substituted wholly or in part for it. Third, if any valuable or necessary ingredient has been wholly or in part abstracted from it. Fourth, if it is an imitation of or sold under the name of another article. Fifth, if it consists wholly or in part of a deceased, infected, decomposed, putrid, tainted or rotten animal or vegetable substance or article, whether manufactured or not. Sixth, if it is colored, coated, polished or powdered whereby damage or inferiority is concealed, or if it be made to appear better or of greater value than it really is. Seventh, if it contains any added substance or ingredient injurious to health, or any deleterious substance not a necessary ingredient in its manufacture. Provided that the provisions of this or the preceding section shall not apply to mixtures or compounds recognized as ordinary articles of food, if they be distinctly labeled admixtures or compounds, and from which no necessary ingredient in their preparation is eliminated.

23.—(Sec. 4601 a, Statutes of 1898.) Any person who shall pack, can or preserve fruits, vegetables or food, or sell, exchange or deliver such canned articles, with the exception of goods brought from foreign countries, unless such articles be labeled with the grade or quality of the same, and with the name and address of the person, firm or corporation packing, canning or preserving the same, or the dealer who sells the same, shall be fined not less than \$25 nor more than \$100, or be imprisoned in the county jail not less than 30 days nor more than 4 months.

24.—(Sec. 4607 b, Statutes of 1898.) Any person who shall make or manufacture baking powder or any compound intended for use as baking powder, or sell or exchange or deliver such baking powder or compound, which contains alum in any form or shape, unless the presence of the same be distinctly shown by a label on the outside and face of which is printed with black ink in legible type no smaller than brevier heavy Gothic caps, the name and residence of the manufacturer and the words "THIS BAKING POWDER CONTAINS ALUM," shall be punished as provided in the preceding section.

25.—(Sec. 4601 c, Statutes of 1898.) Any person who shall sell, exchange or deliver any medicine known as patent or proprietary, or of which the formula is kept secret by the manufacturer, which contains morphine, strychnine, cocaine or poisonous or narcotic alkaloid or drug, in any quantities which the State Board of Health shall deem harmful to the life or health of the public, unless the presence of the same be distinctly shown by the label upon the bottle or package, and upon the outer wrapper thereof, shall be punished as provided in section 4601 a, (paragraph 23).

26.—(Sec. 4607 f, Statutes of 1898.) Any person who shall sell honey or imitations thereof which is adulterated with glucose or any other substance without marking the package containing same with the words "adulterated honey" in letters not less than one-half inch in length and of proportionate breadth on the upper portion of the package or parcel containing same, shall be punished by a fine not to exceed \$100 nor less than \$10, or by imprisonment in the county jail not more than six months nor less than 10 days.

27.—(Sec. 4605 a, Statutes of 1898.) Any owner of a diseased apiary, or honey made or taken from such apiary, or appliances taken therefrom, who shall sell, barter or give away any such apiary or appliances or bees therefrom, expose other bees to the danger of contracting such disease, or refuse to allow the inspector of apiaries to inspect such apiary, honey or appliances, shall be fined not less than \$50 nor more than \$100, or be imprisoned in the county jail not less than one month nor more than two months.

28.—(Sec. 4607 g, Statutes of 1898.) Any person who shall sell or give away for use as food, or can or pack for the purpose of transporting, any unwholesome, stale, emaciated or measly meat, or the flesh of any diseased animal or animal not slaughtered for the purpose of food, knowing the same to be as above described, and any person owning and operating any slaughter-house who shall receive for killing or kill any diseased animal, or render the car-

cass of any animal that shall die from disease or in consequence of exposure, or that shall not have been slaughtered for food, such person or persons shall be punished by imprisonment in the county jail not to exceed six months nor less than 10 days, or by a fine of not more than \$100 nor less than \$10, or both fine and imprisonment. Any corporation shall be fined not more than \$500 nor less than \$10.

29.—(Sec. 4607 i, Statutes of 1898.) Any manufacturer who shall manufacture or sell any vinegar not the sole product of pure apple juice, known as apple cider, or vinegar not made exclusively therefrom, or into which foreign substances, drugs or acids have been introduced, or which contains any preparations of lead, copper, sulphuric acid, artificial coloring matter, or other ingredient injurious to health, or who shall label, brand or sell as cider or apple vinegar, vinegar not the legitimate product of pure apple juice made exclusively from apple cider, or any vinegar which shall not have an acidity equivalent to four per cent by weight of absolute acetic acid, and, in addition, in case of cider vinegar, not less than 2 per cent by weight of cider vinegar solids upon full evaporation over boiling water at 212 degrees Fahrenheit; and any manufacturer of vinegar, and any person who reduces or rebarrels vinegar, or handles vinegar in quantities of one barrel or more, who shall fail to stencil or mark in black figures at least one inch in length, on the head of each barrel or package of said vinegar, the standard strength of said vinegar, denoted by the per cent of acetic acid therein, or who shall falsely mark such package or barrel, shall be fined not exceeding \$100 nor less than \$10.

30.—(Sec. 4607 k, Statutes of 1898.) Prevents the sale for domestic, culinary or drinking purposes of any ice which contains mud, decayed vegetation, animal or foreign matter, or malarial substance. Every person selling ice shall have posted on his or its wagons in a conspicuous manner the name of the place from which the ice was cut or manufactured; and persons selling ice or handling impure ice to be used for cooling purposes only shall have their wagons so labeled. It is a misdemeanor to violate this section, punishable by a fine of not less than \$50 nor more than \$100.

31.—(Sec. 4606, Statutes of 1898.) Any person who shall fumigate any barley, wheat or any other grain by the use of sulphur or any other substance, or shall affect the color or healthfulness of such grain, or sell the same knowing that it has been so fumigated or colored, shall be punished by imprisonment in the county jail not more than one month, or by a fine not exceeding \$50.



E. L. PRUSSING, President

HERBERT PRUSSING, Secretary

**MICHIGAN CIDER COMPANY**

Manufacturers of

**Pure Apple Cider Vinegar**

Sweet Cider, Sand Refined Cider  
Old Hard Cider and Boiled Cider  
Office and Warehouse

**135 Kinzie Street, Chicago**N. B.—All Our Products are Guaranteed to Comply with Pure Food Laws**FLAXSEED OR LINSEED OIL.**

32.—(Sec. 1, chapter 234, Laws of 1899.) No person shall manufacture or sell any flaxseed or linseed oil for other than food purposes unless the same answers a chemical test for purity recognized in the United States Pharmacopoeia, or any flaxseed or linseed oil as "boiled linseed oil" unless the same shall have been put in its manufacture to a temperature of 225 degrees Fahrenheit.

33.—(Sec. 2, chapter 234, Laws of 1899.) No person shall sell or dispose of any flaxseed or linseed oil except under its true name, and except each tank car, barrel, keg or vessel containing same has stenciled thereon in ordinary full-faced capital letters not less than five-line pica in size the true name thereof and the words "pure linseed oil, raw," or "pure linseed oil, boiled," as the fact may be, and also the name and address of the manufacturer or dispenser thereof.

34.—(Sec. 3, chapter 234, Laws of 1899.) Prevents the adulteration of any "pure linseed oil, raw," or "pure linseed oil, boiled," by adding any oil or substance for the purpose of selling such mixture or compound as the pure article; also prevents the stamping, stenciling or marking of any tank car, barrel, keg or vessel so as to falsely represent that it contains either

"pure linseed oil, raw," or "pure linseed oil, boiled," nor so as to falsely represent the manufacturer thereof.

35.—(Sec. 4, chapter 234, Laws of 1899.) For a violation of the provisions of this act any person shall be fined not less than \$50 nor more than \$500, or be imprisoned in the county jail not more than six months.

36.—(Sec. 5, chapter 234, Laws of 1899.) It is made the duty of the Dairy and Food Commissioner to enforce this act and to inspect any flaxseed or linseed oil offered for sale in this state, and any vessels containing the same, which he may have reasons to suspect, and to prosecute violations hereof.

**RULINGS MADE BY THE COMMISSIONER.**

Oleomargarine can be manufactured and sold under its own name and color when properly labeled. Each tub, package and parcel shall be marked by a placard bearing the word "oleomargarine" printed in plain, uncondensed Gothic letters not less than one inch long, and such placard shall contain no other words thereon.

All stores and places of business from which oleomargarine shall be sold must have conspicuously posted a placard to be approved by the Dairy and Food Commissioner, containing the

words, printed in letters not less than four inches in length, "oleomargarine sold here."

It is unlawful for hotel, restaurant or boarding house keepers to furnish their guests with butter substitutes without notifying such guests that the substitute so furnished is not butter.

A bill of fare furnished guests and containing a statement that oleomargarine is used will be deemed a sufficient notice.

Renovated butter, which is butter of inferior quality melted, regranulated, churned with milk and worked over into the appearance of fresh creamery butter, must be branded "renovated butter" upon each tub, package and parcel.

No imitation butter or cheese can be used in any of the charitable or penal institutions of this state.

Cheese.—The Dairy and Food Commissioner is authorized to issue to the owner or manager of each factory making full cream cheese a stencil containing the number of the factory and the state brand "WISCONSIN FULL CREAM CHEESE."

The manufacture and sale of filled cheese is prohibited.

The manufacture and sale of filled cheese is prohibited, except when such cheese is made 10 inches in diameter and 9 inches in height.

Milk.—All milk offered for sale or sold must be from healthy cows, of clean and wholesome character, unadulterated, free from preservatives, and must contain not less than 3 per cent of butter fat.

Lard.—Imitation lard products must not be sold under the name of lard. Compounds containing lard can be sold when labeled "Compound lard."

Coffee.—Coffee must be true in name. It must not be coated or polished to conceal inferiority. Imitations containing no coffee cannot be sold as coffee compounds, but may be sold under coin names. Compounds of coffee and chicory or of coffee, or of coffee and any harmless substitute allied to it in either flavor or strength, and not used simply as an adulterant, may be sold when labeled "Coffee compound."

Syrup.—Syrup is a product of either corn or sugar cane. When made from sugar cane it is called cane syrup; when made from corn it is glucose syrup. It is questionable whether or not one could be considered as an adulterant of the other, as each falls within the true definition of a syrup, as both the mild Rio and strong Mocha are each true coffees. The sale of a mixture of glucose as and for cane syrup is a fraud and a violation of law. The sale of a mixture of glucose and cane syrups without other label than that of the general term "syrup" is permitted. Molasses containing glucose must be labeled glucose mixture as the

value of molasses is dependent upon a pungent flavor peculiar to itself, and not found in glucose syrups.

Maple sugar.—Must be true to name. A compound of corn or beet sugar with maple sugar cannot be sold even when labeled compounds, as the chief element of value in maple sugar is the maple flavor, and any admixture of other sugars is for the sole purpose of cheapening the article, and is a clear case of adulteration which cannot be remedied by a label.

Flour.—Wheat flour mixed with corn flour may be sold when labeled "compound flour" or "compound wheat flour."

Corn and wheat flour are closely allied in their chemical and nutritive properties, and a compound of these articles would be recognized by the law as "an ordinary article of food."

Buckwheat may be mixed with other flour or self-rising ingredients not injurious to health and sold as "Compound buckwheat flour."

Jellies.—Artificial jellies must not be colored in imitation of natural food jellies, but may be sold for what they are when not labeled in a manner calculated to deceive the ordinary purchaser as to their true character, and when they are free from ingredients deleterious to health.

Honey.—Honey adulterated with glucose or any other substance may be sold when labeled "Adulterated honey."

The sale of honey is regulated by a special law enacted in 1881. It appears in the last revision of the statutes, the revisers evidently holding that it was not repealed by the pure food law of 1897.

Mustard.—Dry mustard must be pure.

Prepared mustard must be free from starch or adulterant of any kind, and, if consisting of mustard, vinegar and spices, may be sold when labeled "Prepared mustard."

A preparation of mustard, vinegar, spices and enough filling of starch to make a mustard of mild flavor to meet a legitimate demand which undoubtedly exists, may be sold when labeled "Prepared mustard compound." Harmless coloring matter may be used in preparations of mustard only to secure uniformity of appearance.

Spices.—All spices must be pure. Any mixture of a foreign substance with any spice is an adulteration. An adulteration of spices cannot be remedied by the label "Compound."

Catsup.—Catsup must not contain preservatives deleterious to health.

Cream of tartar must be pure. All compounds are unlawful.

Chocolate and cocoa.—When made only from cocoa mass, sugar and glycerine, may be sold under the name "Prepared cocoa" or "Sweet chocolate."

Candy must be free from inert mineral mat-



ters, and not colored with substances deleterious to health.

Canned goods must be labeled with grade or quality of the goods and the name and address of the seller or manufacturer.

Extracts.—Artificial extracts can be manufactured and sold only in cases where it is not possible to produce an extract from the fruit itself. Extracts of this class must be labeled "Artificial extracts."

Lemon extracts.—Shall contain at least five per cent of the pure oil of lemon dissolved in alcohol. Harmless coloring matter will be permitted. The sale of compound lemon extract is prohibited.

Vanilla extract.—Shall be made wholly from vanilla beans, and shall contain no artificial coloring. The color of a vanilla extract is an indication of its strength, and the coloring in such case would be used for the purpose of concealing inferiority and of making the article appear better than it really is.

When other flavoring substances are used such as vanilla, coumarin, or tonka, the extract should be labeled so as to show the purchaser its true character, as "Compound extract of tonka and vanillin." The label "Compound extract of vanilla" will not be deemed sufficient notice of the article.

Vinegar.—All vinegar must contain four per cent of acetic acid. Cider vinegar must contain two per cent of apple solids. It is unlawful to label spirit vinegars as fruit vinegars. Low wine or spirit vinegars may be colored with harmless coloring matter and sold for what they are.

Baking powder.—Baking powders containing alum must be labeled

**"THIS BAKING POWDER CONTAINS ALUM."**

The label must be printed in black ink in legible type not smaller than brevier heavy Gothic caps, and shall give the name and address of the manufacturer.

## PURE FOOD LAWS OF WYOMING.

The State of Wyoming has not created a Dairy or Food Commission, and there are but very few laws on the subject of adulteration of articles of food or drink on its statute books. There does not appear to be any department specifically charged with the enforcement of these laws, but violations of the same are punishable in like manner as other misdemeanors committed within the state.

A digest of the laws is as follows:

### DISEASED MEAT OR ADULTERATED LIQUOR.

Sec. 5108. Provides if any person knowingly sells any flesh of any diseased animal or otherwise unwholesome provision or any pernicious or adulterated drink or liquors he shall be fined not more than \$200.

### ADULTERATED FOODS OR MEDICINES.

Sec. 5109. Every person who adulterates or dilutes any article of food, drink, drug, medicine, spirituous or malt liquor, or wine, or any article used in compounding them, with fraudulent intent to offer the same for sale as unadulterated and undiluted; or fraudulently sells, keeps or offers for sale the same as unadulterated or undiluted; shall be fined not more than \$500 or imprisoned in the county jail not more than sixty days, or both.

Sec. 5110. Every person who knowingly sells or otherwise disposes of or tries to dispose of any article of food, drink, drug or medicine, knowing the same has become tainted, decayed,

spoiled or otherwise unfit to be eaten or drunk, shall be fined not more than \$50 or imprisoned not more than thirty days, or both.

### CHAPTER VII.

Sec. 2223. No person shall add to or remove from any drug, medicine, chemical or pharmaceutical preparation, any ingredients or materials for the purpose of adulteration or substitution, or alter the nature or composition of such drug, etc., so that it will not correspond to the recognized test of identity or purity, and no person shall sell or offer for sale any such adulterated article with intent to defraud a purchaser thereof. A violation hereof is punishable by a fine not less than \$50 and not more than \$100 for the first offense and for each subsequent offense a fine of not less than \$75 and not more than \$150.

### CHAPTER XV.

#### ADULTERATED CANDY.

Sec. 2668. No person shall manufacture for sale, or knowingly sell, or offer to sell any candy adulterated by admixture or terra alba, barytes, talc or any other mineral substances by poisonous color or flavor, or other ingredients deleterious or detrimental to health.

Sec. 2669. A violation of this chapter is a misdemeanor punishable by a fine not exceeding \$100, nor less than \$50. The candy so adulterated shall be forfeited and destroyed.

Sec. 2670. It is the duty of the County and Prosecuting Attorneys to appear for the state and prosecute all complaints hereunder.

TABLE OF STANDARDS

BY DR. E. N. EATON  
ILLINOIS STATE ANALYST

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| Article of Food. | Alabama†.       | Alaska†. | Arkansas†.                                                                                                                | Arizona†. | California†.                                                                              |
|------------------|-----------------|----------|---------------------------------------------------------------------------------------------------------------------------|-----------|-------------------------------------------------------------------------------------------|
| Milk.            |                 |          |                                                                                                                           |           |                                                                                           |
| Cream.           |                 |          |                                                                                                                           |           |                                                                                           |
| Butter.          |                 |          |                                                                                                                           |           |                                                                                           |
| Cheese.          |                 |          |                                                                                                                           |           | Full cream, 30% fat.<br>½ skim, 15% fat.<br>Skim from skim milk.<br>Fancy cheese excepted |
| Process Butter.  |                 |          |                                                                                                                           |           | To be labeled "Process"<br>or "Renovated."                                                |
| Oleomargarine.   | Anti color law. |          |                                                                                                                           |           |                                                                                           |
| Condensed Milk.  |                 |          |                                                                                                                           |           |                                                                                           |
| Vinegar.         |                 |          |                                                                                                                           |           |                                                                                           |
| Preservatives.   |                 |          |                                                                                                                           |           |                                                                                           |
| Candies.         |                 |          |                                                                                                                           |           | Use of mineral sub-<br>stances prohibited.                                                |
| Baking Powder.   |                 |          |                                                                                                                           |           |                                                                                           |
| Extracts.        |                 |          |                                                                                                                           |           |                                                                                           |
| Jellies & Jams.  |                 |          |                                                                                                                           |           |                                                                                           |
| Liquors.         |                 |          | Wine—"Native wine<br>must be pure. Sweet-<br>ened wine, so labeled<br>Artificial W—Illegal.<br>17% alcohol,—maxi-<br>mum. |           |                                                                                           |
| Miscellaneous.   |                 |          |                                                                                                                           |           |                                                                                           |

†No Commission  
‡Dairy "  
\*Food "

| Article of Food. | Colorado†.                                                                                                                              | Connecticut*                            | Delaware†.                                                                                | District of Columbia†                                               | Florida†.                                                              |
|------------------|-----------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|-------------------------------------------------------------------------------------------|---------------------------------------------------------------------|------------------------------------------------------------------------|
| Milk.            |                                                                                                                                         |                                         |                                                                                           | Solids, not fat, 9%.<br>Fat, 3.5%.<br>Skim, 9.3%, solids.           |                                                                        |
| Cream.           |                                                                                                                                         |                                         |                                                                                           | Fat, 20%.                                                           |                                                                        |
| Butter.          |                                                                                                                                         |                                         |                                                                                           | Fat, 83%.<br>Water, not more than<br>12%.<br>Salt, not more than 5% |                                                                        |
| Cheese.          | Colo. full cream, 35%<br>fat.<br>"Skimmed" less than<br>35% fat.<br>Imitation cheese al-<br>lowed.<br>Anti-color law on<br>"imitation." |                                         |                                                                                           |                                                                     |                                                                        |
| Process Butter.  |                                                                                                                                         |                                         |                                                                                           |                                                                     |                                                                        |
| Oleomargarine.   | Anti-color law.                                                                                                                         | Anti-color law.                         | Anti-color law.                                                                           |                                                                     |                                                                        |
| Condensed Milk   |                                                                                                                                         |                                         |                                                                                           |                                                                     |                                                                        |
| Vinegar.         |                                                                                                                                         | Acidity, 4%.<br>Cider vinegar, 2% solid |                                                                                           | Acetic Acid, 4%.<br>Solids, 1.5%.                                   |                                                                        |
| Preservatives.   |                                                                                                                                         |                                         |                                                                                           |                                                                     |                                                                        |
| Candies.         |                                                                                                                                         |                                         | Use of mineral sub-<br>stances prohibited.                                                |                                                                     | Mineral substances and<br>poisonous colors and<br>cochineal prohibited |
| Baking Powder.   |                                                                                                                                         |                                         |                                                                                           |                                                                     |                                                                        |
| Extracts.        |                                                                                                                                         |                                         |                                                                                           |                                                                     |                                                                        |
| Jellies & Jams.  |                                                                                                                                         |                                         |                                                                                           |                                                                     |                                                                        |
| Liquors.         |                                                                                                                                         |                                         |                                                                                           |                                                                     | Drugs and cochineal<br>coloring prohibited.                            |
| Miscellaneous.   |                                                                                                                                         | Glucose prohibited in<br>molasses.      | Flour—Superfine, lab-<br>eled "S. D."<br>Common, labeled "C.<br>D."<br>Inferior rejected. |                                                                     |                                                                        |

†No Commission  
‡Dairy "  
\*Food "



| Article of Food.                                   | Georgia†                              | Idaho‡                                           | Illinois*                                                                                                                               | Indiana†                                                                                                         | Iowa‡                             |
|----------------------------------------------------|---------------------------------------|--------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|-----------------------------------|
| Milk.                                              | Solids, not fat, 8.5%<br>Fat, 3.5%.   | .....                                            | Total solids, 12%.<br>Fat, 3%, (see note).<br>Water, 88%.                                                                               | Solids, not fat, .9%.<br>Fat, 3.5%.<br>Water, 88%.                                                               | Solids, 12.5%.<br>Fat, 3.7%.      |
| Cream.                                             | .....                                 | .....                                            | R. Coffee cream, 15%<br>fat.<br>R. Whipping cream,<br>22% fat                                                                           | Preservatives prohibi-<br>ted.                                                                                   | Fat, 15%.                         |
| Butter.                                            | .....                                 | .....                                            | Fat, 88%.                                                                                                                               | Fat, 80%.<br>Water, 15%.<br>Salt, 6%.<br>No preservatives.                                                       | .....                             |
| Cheese.                                            | Imitation cheese, anti-<br>color law. | .....                                            | R. Whole milk cheese.<br>Fat to solids, 48%.                                                                                            | Butter fat, 10%.<br>Skim cheese., less than<br>10% butter fat.                                                   | Anti-color law on imi-<br>tation. |
| Process Butter.                                    | .....                                 | .....                                            | To be labeled—<br>"Renovated Butter "                                                                                                   | .....                                                                                                            | .....                             |
| Oleomargarine..                                    | Anti-color law.                       | Anti-color law                                   | Anti-color law.                                                                                                                         | Fat, 80%.<br>Water, 15%.<br>Salt, 6%.<br>No preservative.                                                        | Anti-color law.                   |
| Condensed Milk                                     | .....                                 | .....                                            | 3% milk evaporated to<br>$\frac{1}{4}$ volume.                                                                                          | .....                                                                                                            | .....                             |
| Vinegar.                                           | .....                                 | Cider, V. solids, 2%.<br>All others, 4.5%, acid. | Cider Vinegar—Solids,<br>1.75%; ash, .25%.<br>Fermented Vinegar—<br>Solids, 1.25 %; ash,<br>.25%.<br>All Vinegar—Acid,<br>4%.           | Acid, 4%.<br>Cider V., 2% solids.<br>Artificial color barred.                                                    | .....                             |
| Preservatives.                                     | .....                                 | .....                                            | R. Prohibited in milk.                                                                                                                  | Formaldehyde barred;<br>other preservatives<br>may be used if lab-<br>eled, except as spe-<br>cially prohibited. | .....                             |
| Candies.                                           | .....                                 | .....                                            | Free from mineral mat-<br>ter.                                                                                                          | .....                                                                                                            | .....                             |
| Baking Powder                                      | .....                                 | .....                                            | Name of acid ingredi-<br>ent to be placed on<br>label.                                                                                  | .....                                                                                                            | .....                             |
| Extracts.                                          | .....                                 | .....                                            | Artificial—So labeled.<br>R. Lemon Ex.—5%<br>lemon oil.<br>Vanilla mixtures and<br>compounds labeled<br>with names of in-<br>gredients. | .....                                                                                                            | .....                             |
| Jellies & Jams.                                    | .....                                 | .....                                            | Glucose prohibited un-<br>less labeled imita-<br>tion.                                                                                  | .....                                                                                                            | .....                             |
| Liquors.                                           | .....                                 | .....                                            | Drugs and cochineal<br>coloring prohibited.                                                                                             | U. S. Pharmacopœia<br>standard.                                                                                  | .....                             |
| Miscellaneous.                                     | .....                                 | .....                                            | R. Spices must be pure<br>Chocolates and cocoas<br>composed of cocoa<br>mass sugar and flav-<br>oring only.                             | Flour 3 qualities—<br>"Superfine," "fine,"<br>and "coarse."                                                      | .....                             |
| †No Commission<br>‡Dairy "<br>*Food "<br>R—Ruling. | .....                                 | .....                                            | Note—Wording of law<br>"3% of solids."                                                                                                  | .....                                                                                                            | .....                             |

| Article of Food. | Kansas†. | Kentucky*                                                                                     | Louisiana‡. | Maine‡.                                 | Maryland‡.                                |
|------------------|----------|-----------------------------------------------------------------------------------------------|-------------|-----------------------------------------|-------------------------------------------|
| Milk.            | .....    | Solids, 12%.<br>Fat, 3%.<br>Butter fat Reichert<br>Mittel No. 24, Sp. Gr<br>905 at 40° C.     | .....       | Solids, 12%.<br>Fat, 3%.<br>Water, 88%. | .....                                     |
| Cream.           | .....    | Coloring matter and<br>preservatives pro-<br>hibited.<br>Fat, 15%.                            | .....       | .....                                   | .....                                     |
| Butter.          | .....    | 80% fat.                                                                                      | .....       | .....                                   | .....                                     |
| Cheese.          | .....    | Skin C. less than 10%<br>fat.                                                                 | .....       | Imitation cheese, anti-<br>color law.   | Anti-color law for imi-<br>tation cheese. |
| Process Butter.  | .....    | Classed as—<br>"Adulterated."                                                                 | .....       | .....                                   | .....                                     |
| Oleomargarine.   | .....    | .....                                                                                         | .....       | Anti-color law.                         | Anti-color law.                           |
| Condensed Milk.  | .....    | .....                                                                                         | .....       | .....                                   | .....                                     |
| Vinegar.         | .....    | Acidity, 4%.                                                                                  | .....       | .....                                   | .....                                     |
| Preservatives.   | .....    | "Household" antiseptics<br>allowed. Good<br>cont. other antiseptics<br>branded "Adulterated." | .....       | Mineral substances<br>prohibited.       | .....                                     |
| Candies.         | .....    | Mineral substances and<br>harmful coloring<br>considered adultera-<br>tions.                  | .....       | .....                                   | .....                                     |
| Baking Powder.   | .....    | Acid ingredient must<br>be given.                                                             | .....       | .....                                   | .....                                     |
| Extracts.        | .....    | .....                                                                                         | .....       | .....                                   | .....                                     |
| Jellies & Jams.  | .....    | Solids, 80%.<br>Acid, 1%.<br>Ash, .6%.<br>Jelly—Solids, 65%.<br>Acid, 1%.<br>Ash, .3%         | .....       | .....                                   | .....                                     |
| Liquors.         | .....    | .....                                                                                         | .....       | .....                                   | .....                                     |
| Miscellaneous.   | .....    | .....                                                                                         | .....       | .....                                   | .....                                     |
| †No Commission   | .....    | .....                                                                                         | .....       | .....                                   | .....                                     |
| ‡Dairy " "       | .....    | .....                                                                                         | .....       | .....                                   | .....                                     |
| *Food " "        | .....    | .....                                                                                         | .....       | .....                                   | .....                                     |



| Article of Food. | Massachusetts*                                                                                                                                                                          | Michigan*                                                                                                                                                                 | Minnesota*                                                                                                                          | Mississippi†. | Missouri‡.                                                           |
|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|---------------|----------------------------------------------------------------------|
| Milk.            | Solids (Apr. to Sept.) inclusive) 12%<br>Solids, not fat, 9%<br>Fat, 3%.<br>Other months—<br>Solids, 13%<br>Solids, not fat, 9.3%<br>Fat, 3%.<br>Skimmed milk—<br>Solids, not fat, 9.3% | Solids, 12.5%.<br>Fat, 3%.<br>Water, 87.5%.<br>Sp. Gr. at 60°F. 1.029 to 1.033.<br>Skim milk, Sp. gr. at 60° 1.032 to 1.037. Coloring and preservative prohibited.        | Solids, 13%.<br>Fat, 3.5%.<br>Water, 87%.                                                                                           | .....         | .....                                                                |
| Cream.           | .....                                                                                                                                                                                   | .....                                                                                                                                                                     | Fat, 20%.<br>.....                                                                                                                  | .....         | .....                                                                |
| Butter.          | .....                                                                                                                                                                                   | .....                                                                                                                                                                     | .....                                                                                                                               | .....         | .....                                                                |
| Cheese.          | .....                                                                                                                                                                                   | Full cream C—Made from whole milk.<br>Filled cheese prohibited                                                                                                            | Minn, full cream—<br>Fat to total solids, 45%.<br>Skim less than 45% fat to solids.                                                 | .....         | Full cream, made from 3% milk.<br>Skim. made from less than 3% milk. |
| Process Butter.  | Marked "Renovated."                                                                                                                                                                     | .....                                                                                                                                                                     | .....                                                                                                                               | .....         | .....                                                                |
| Oleomargarine.   | Anti-color law.                                                                                                                                                                         | Anti-color law.                                                                                                                                                           | .....                                                                                                                               | .....         | .....                                                                |
| Condensed Milk.  | Acidity, 4.5%.<br>Cider V., 2% solids.                                                                                                                                                  | .....                                                                                                                                                                     | .....                                                                                                                               | .....         | .....                                                                |
| Vinegar.         | .....                                                                                                                                                                                   | Acid, 4%.<br>Fermented V.—<br>Solids, 1.75%.<br>Ash, .25%.<br>Artificial coloring prohibited.                                                                             | Acidity, 4.5%.<br>Cider V., 2.5% solids.<br>Artificial color prohibited. Grain strength marked on barrel.                           | .....         | .....                                                                |
| Preservatives.   | .....                                                                                                                                                                                   | .....                                                                                                                                                                     | Prohibited in milk.<br>Prohibits advertising or mfg. preservatives intended for milk.<br>Use prohibited in food and dairy products. | .....         | .....                                                                |
| Candies.         | .....                                                                                                                                                                                   | Mineral substances prohibited.                                                                                                                                            | .....                                                                                                                               | .....         | .....                                                                |
| Baking Powder.   | .....                                                                                                                                                                                   | If labeled must be true to name.                                                                                                                                          | Trade names of all ingredients used to be placed on label.                                                                          | .....         | Alum powders prohibited.                                             |
| Extracts.        | .....                                                                                                                                                                                   | Vanilla compounds labeled with name of each ingredient. Vanilla must contain no artificial color. Artificial ex. prohibited when ex. can be made from natural fruit.      | .....                                                                                                                               | .....         | .....                                                                |
| Jellies & Jams.  | .....                                                                                                                                                                                   | Adulterated to be labeled "Imitation," and color prohibited.                                                                                                              | Adulterated jellies so labeled.                                                                                                     | .....         | .....                                                                |
| Liquors.         | .....                                                                                                                                                                                   | .....                                                                                                                                                                     | .....                                                                                                                               | .....         | .....                                                                |
| Miscellaneous.   | .....                                                                                                                                                                                   | Black pepper—<br>Ash, 6.5%.<br>Starch, 25%.<br>Vol. ether ex. .6 to 1.75<br>Fiber, 16%.<br>Maple sugar and syrup must be pure.<br>Cream of tartar and honey must be pure. | .....                                                                                                                               | .....         | .....                                                                |
| No Commission    | .....                                                                                                                                                                                   | .....                                                                                                                                                                     | .....                                                                                                                               | .....         | .....                                                                |
| Dairy " "        | .....                                                                                                                                                                                   | .....                                                                                                                                                                     | .....                                                                                                                               | .....         | .....                                                                |
| *Food, " "       | .....                                                                                                                                                                                   | .....                                                                                                                                                                     | .....                                                                                                                               | .....         | .....                                                                |

| Article of Food. | Montana†.                                                                | Nebraska*                                                             | Nevada†.        | New Hampshire†.                                                                                                                                                             | New York*                                                                                                                                                                                                                                                                                                                         |
|------------------|--------------------------------------------------------------------------|-----------------------------------------------------------------------|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Milk.            | Solids, 12%.<br>Fat, 3%.<br>Sp. Gr., 1.025.<br>Preservatives prohibited. | Fat, 3%.                                                              | .....           | Water, 87%.<br>Solids, 13%.<br>Solids, not fat, 9.5%.<br>Fat, 3.5%.<br>Apr. to Sept. milk.<br>Solids, 12%.<br>Fat, 3%.<br>Skim milk.<br>Solids, not fat, 9%.<br>Water, 91%. | Solids, 12%.<br>Fat, 3%.<br>Water, 88%.                                                                                                                                                                                                                                                                                           |
| Cream            | .....                                                                    | Fat, 15%.                                                             | .....           | .....                                                                                                                                                                       | Addition foreign fats prohibited.<br>Artificial coloring forbidden.                                                                                                                                                                                                                                                               |
| Butter.          | .....                                                                    | .....                                                                 | .....           | .....                                                                                                                                                                       | Addition foreign fat prohibited. Imitation butter prohibited.                                                                                                                                                                                                                                                                     |
| Cheese.          | .....                                                                    | Imitation, anti-color law.                                            | .....           | .....                                                                                                                                                                       | Imitation cheese prohibited. Anti-color law for imitation; skim cheese defined as made from skim milk.                                                                                                                                                                                                                            |
| Process Butter.  | .....                                                                    | .....                                                                 | Labeled "Oleo." | .....                                                                                                                                                                       | Labeled "Renovated."                                                                                                                                                                                                                                                                                                              |
| Oleomargarine.   | .....                                                                    | Anti-color law.                                                       | .....           | Anti-color law.                                                                                                                                                             | Anti-color law.                                                                                                                                                                                                                                                                                                                   |
| Condensed Milk.  | .....                                                                    | .....                                                                 | .....           | .....                                                                                                                                                                       | Condensed from whole milk cont. 12% solids, $\frac{1}{4}$ solids must be fat.                                                                                                                                                                                                                                                     |
| Vinegar.         | .....                                                                    | Acid, 4%.<br>Cider V., solids, 2%.<br>Artificial coloring prohibited. | .....           | .....                                                                                                                                                                       | Acid, 4.5%.<br>Cider V., solids, 2%.<br>Artificial coloring prohibited.                                                                                                                                                                                                                                                           |
| Preservatives.   | .....                                                                    | Not allowed in cider, unless branded "adulterated."                   | .....           | .....                                                                                                                                                                       | Prohibited in dairy products.                                                                                                                                                                                                                                                                                                     |
| Candies.         | .....                                                                    | .....                                                                 | .....           | Mineral substances prohibited.                                                                                                                                              | Mineral substances prohibited.                                                                                                                                                                                                                                                                                                    |
| Baking Powder.   | .....                                                                    | .....                                                                 | .....           | .....                                                                                                                                                                       | .....                                                                                                                                                                                                                                                                                                                             |
| Extracts.        | .....                                                                    | .....                                                                 | .....           | .....                                                                                                                                                                       | .....                                                                                                                                                                                                                                                                                                                             |
| Jellies & Jams.  | .....                                                                    | .....                                                                 | .....           | .....                                                                                                                                                                       | .....                                                                                                                                                                                                                                                                                                                             |
| Liquors.         | .....                                                                    | .....                                                                 | .....           | Drugs, etc., prohibited.                                                                                                                                                    | Pure wine, 75% undried fruit juice with necessary clarifying agents, sugar and alcohol not to exceed 8% of volume. $\frac{1}{4}$ wine cont. 50 to 73% undried fruit juice. Made wine cont. less than 50% undried fruit juice. Alum, alkalis, carbonic acid, glycerine, antiseptics, artificial coloring and flavoring prohibited. |
| Miscellaneous.   | .....                                                                    | .....                                                                 | .....           | .....                                                                                                                                                                       | Maple sugar and syrup must be pure. Mixtures must be labeled with names of ingredients.                                                                                                                                                                                                                                           |
| o—No Commission  | .....                                                                    | .....                                                                 | .....           | .....                                                                                                                                                                       | .....                                                                                                                                                                                                                                                                                                                             |
| x—Dairy "        | .....                                                                    | .....                                                                 | .....           | .....                                                                                                                                                                       | .....                                                                                                                                                                                                                                                                                                                             |
| *—Food "         | .....                                                                    | .....                                                                 | .....           | .....                                                                                                                                                                       | .....                                                                                                                                                                                                                                                                                                                             |



| Article of Food. | New Jersey*                                                                           | New Mexico† | N. Carolina*                      | N. Dakota‡                          | Ohio*                                                                                                                                                                                                                                                                                                                                                                                                                   |
|------------------|---------------------------------------------------------------------------------------|-------------|-----------------------------------|-------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Milk.            | Solids. 12%.<br>Water. 88%.<br>Skim milk prohibited<br>in cities.                     |             |                                   | Solids. 12%.<br>Fat. 3%.            | Solids. 12%.<br>Water. 88%.<br>May and June—<br>Solids. 11.5%.<br>¼ solids must be fat.                                                                                                                                                                                                                                                                                                                                 |
| Cream.           |                                                                                       |             |                                   | Fat, 15%.                           |                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Butter.          |                                                                                       |             |                                   |                                     | Fat, 80%.                                                                                                                                                                                                                                                                                                                                                                                                               |
| Cheese.          | Anti-color law                                                                        |             |                                   | Skim cheese made from<br>skim milk. | Ohio state cream, made<br>from whole milk.<br>Cheese 20% fat.<br>Skim cheese less than<br>20% fat.                                                                                                                                                                                                                                                                                                                      |
| Process Butter.  |                                                                                       |             |                                   |                                     |                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Oleomargarine.   | Anti-color law.                                                                       |             |                                   | Anti-color law.                     | Anti-color law.                                                                                                                                                                                                                                                                                                                                                                                                         |
| Condensed Milk.  |                                                                                       |             |                                   |                                     | Made from milk cont.<br>12% solids.                                                                                                                                                                                                                                                                                                                                                                                     |
| Vinegar.         | Acid, 4.5%.<br>Cider V., 2%, solids.                                                  |             |                                   |                                     | Acid, 4%.<br>Cider V., 2% solids.<br>Fermented V., 2%<br>solids; Ash, 25%.<br>Brand and date on bar-<br>rel.                                                                                                                                                                                                                                                                                                            |
| Preservatives.   |                                                                                       |             |                                   |                                     |                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Candies.         |                                                                                       |             | Mineral substances<br>prohibited. |                                     |                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Baking Powder.   | Prohibits terra alba,<br>etc., mineral colors<br>and poisonous colors<br>and flavors. |             |                                   |                                     |                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Extracts.        |                                                                                       |             |                                   |                                     |                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Jellies & Jams.  |                                                                                       |             |                                   |                                     |                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Liquors.         |                                                                                       |             |                                   |                                     | "Pure Wine" made<br>from undried grapes<br>without any addi-<br>tion.<br>"Wine" made from<br>not less than 75%<br>grape juice, with<br>sugar and necessary<br>clarifying agents.<br>"Compounded" cont.<br>less than 75% grape<br>juice; and fortified<br>wines.<br>"Adulterated" wines<br>made from glucose<br>or charged with car-<br>bonic acid or cont.<br>antiseptics or arti-<br>ficial coloring, pro-<br>hibited. |
| Miscellaneous.   |                                                                                       |             |                                   |                                     |                                                                                                                                                                                                                                                                                                                                                                                                                         |
| †No Commission   |                                                                                       |             |                                   |                                     |                                                                                                                                                                                                                                                                                                                                                                                                                         |
| ‡Dairy           |                                                                                       |             |                                   |                                     |                                                                                                                                                                                                                                                                                                                                                                                                                         |
| *Food            |                                                                                       |             |                                   |                                     |                                                                                                                                                                                                                                                                                                                                                                                                                         |

| Article of Food. | Oklahoma† | Oregon*                                                                                                              | Pennsylvania*                                                                                                                                                                             | Rhode Island†                        | S. Carolina†                                                                             |
|------------------|-----------|----------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|------------------------------------------------------------------------------------------|
| Milk.            | .....     | Water, 88% max.<br>Milk serum—Sp. Gr.<br>1.038 min.<br>Solids, not fat, 9%.<br>Fat, 3%.                              | R. Skim, solids, 8.5%.<br>Water, 88%.<br>Coloring and preserva-<br>tives forbidden.<br>Fat, 3%, min.<br>Sp. Gr., 60 F. 1.029 to<br>1.033.<br>R. Coloring and pre-<br>servatives forbidden | Solids, 12%.<br>Fat, 2.5 %.          | Skim fat, 3% max.<br>Solids, not fat, 8.5 max.<br>Milk, fat, 3%.<br>Solids, not fat, 8%. |
| Cream.           | .....     | Fat, 20%.                                                                                                            | R. Fat, 15%.                                                                                                                                                                              | .....                                | .....                                                                                    |
| Butter.          | .....     | Water, 14%, max.                                                                                                     | R. Butter fat, 83%<br>min.                                                                                                                                                                | .....                                | .....                                                                                    |
| Cheese.          | .....     | Full cream, 30% fat,<br>min.<br>½ skim, 15% fat, min.<br>Skim, less than 7.5%.<br>Not applicable to<br>fancy cheese. | R. Full cream, 32%<br>fat.<br>½ cream, 24% fat.<br>½ cream, 16% fat.<br>½ cream, 8% fat.<br>Skim, less than 8%.<br>Filled cheese prohib-<br>ited.                                         | .....                                | Anti-color imitations.                                                                   |
| Process Butter.  | .....     | Marked "Renovated"<br>or "Process."                                                                                  | Labeled "Renovated,"                                                                                                                                                                      | .....                                | .....                                                                                    |
| Oleomargarine.   | .....     | Anti-color law.                                                                                                      | Anti-color law.                                                                                                                                                                           | .....                                | .....                                                                                    |
| Condensed Milk.  | .....     | Condensed from milk<br>cont. 12% solids,<br>¼ of solids, fat.                                                        | R. Sugar only may be<br>added.                                                                                                                                                            | .....                                | Anti-color law.                                                                          |
| Vinegar.         | .....     | Acid, 4.5%.<br>Cider V., solids, 2.00%                                                                               | R. Acid, 4%.<br>R. Cider V., solids,<br>1.5%.<br>R. Colored distilled<br>prohibited.<br>Fermented, 1.5%,<br>solids.                                                                       | Acid, 4.5%.<br>Cider V., solids, 2%. | .....                                                                                    |
| Preservatives.   | .....     | Prohibited in dairy<br>products.                                                                                     | R. Not allowed in<br>meat.                                                                                                                                                                | .....                                | .....                                                                                    |
| Candies.         | .....     | .....                                                                                                                | Mineral substances<br>barred.                                                                                                                                                             | .....                                | .....                                                                                    |
| Baking Powder.   | .....     | .....                                                                                                                | R. Name of acid in-<br>gredient printed on<br>label.                                                                                                                                      | .....                                | Mineral substances<br>prohibited.                                                        |
| Extracts.        | .....     | "Adulterated" ex. so<br>labeled with % of<br>adulteration on label                                                   | R. Lemon, oil lemon,<br>5%.                                                                                                                                                               | .....                                | .....                                                                                    |
| Jellies & Jams.  | .....     | Must be pure.                                                                                                        | Adulteration prohibid<br>in apple products.                                                                                                                                               | .....                                | .....                                                                                    |
| Liquors.         | .....     | .....                                                                                                                | .....                                                                                                                                                                                     | .....                                | .....                                                                                    |
| Miscellaneous.   | .....     | .....                                                                                                                | R. Canned Goods—<br>Tin on can must not<br>contain more than<br>2% lead.<br>Lard, fat, 99%.                                                                                               | .....                                | .....                                                                                    |

†No Commission

\*Dairy

\*Food

R Ruling.



| Article of Food. | S. Dakota*                                                                                                                      | Tennessee† | Texas† | Utah*                                                                                                        | Vermont†                                                                                                                                           |
|------------------|---------------------------------------------------------------------------------------------------------------------------------|------------|--------|--------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|
| Milk.            |                                                                                                                                 |            |        | Skim, solids, not fat, 9%.                                                                                   | Solids, 12.5%.<br>Solids, not fat, 9.25%.<br>For May and June—<br>Solids, 12%.<br>At creameries and cheese factories, paying standard—<br>Fat, 4%. |
| Cream.           |                                                                                                                                 |            |        |                                                                                                              |                                                                                                                                                    |
| Butter.          | Fat, 80% min.                                                                                                                   |            |        |                                                                                                              |                                                                                                                                                    |
| Cheese.          | Full cream<br>Fat to solids, 45%.<br>Skim less than 45%.<br>Filled branded "imitation."                                         |            |        | Skim prohibited, except cheese, 9 to 11. in diameter and not less than 4 in height<br>Filled C., prohibited. |                                                                                                                                                    |
| Process Butter.  |                                                                                                                                 |            |        |                                                                                                              |                                                                                                                                                    |
| Oleomargarine.   | Anti-color law.<br>Colored white or pink.<br>Fat, less than 80%.                                                                |            |        | Anti-color law.                                                                                              |                                                                                                                                                    |
| Condensed Milk.  |                                                                                                                                 |            |        |                                                                                                              |                                                                                                                                                    |
| Vinegar.         | Acid, 4.5%.<br>Cider V., solids, 2%.<br>Colored V., illegal.<br>Grain strength branded on packages.                             |            |        | Acid, 4.5%.<br>Cider V., solids, 2%.<br>Grain strength marked                                                |                                                                                                                                                    |
| Preservatives.   | R. Prohibited in dairy products, catsup, cider and meats and syrups.                                                            |            |        | Prohibited in dairy products.                                                                                |                                                                                                                                                    |
| Candies.         | Mineral substances prohibited.                                                                                                  |            |        |                                                                                                              | Mineral substances prohibited                                                                                                                      |
| Baking Powder.   | Alum powders labeled "this powder contains alum."                                                                               |            |        |                                                                                                              |                                                                                                                                                    |
| Extracts.        | R. Adulterated lemon so labeled.<br>Compounds labeled with name of each ingredient.<br>Artificial extracts labeled "imitation." |            |        |                                                                                                              |                                                                                                                                                    |
| Jellies & Jams.  | R. Adulterated labeled "mixture" or "adulterated."                                                                              |            |        |                                                                                                              |                                                                                                                                                    |
| Liquors.         | Free from coloring.<br>Cream tartar must be pure.                                                                               |            |        |                                                                                                              |                                                                                                                                                    |
| Miscellaneous.   | Canned goods, green-<br>ing prohibited.                                                                                         |            |        |                                                                                                              |                                                                                                                                                    |
| †No Commission   |                                                                                                                                 |            |        |                                                                                                              |                                                                                                                                                    |
| *Dairy           |                                                                                                                                 |            |        |                                                                                                              |                                                                                                                                                    |
| *Food            |                                                                                                                                 |            |        |                                                                                                              |                                                                                                                                                    |

| Article of Food. | Virginia†                                                                                                                                                                                              | Washington*                                                                                                                                                       | W. Virginia†  | Wisconsin*                                                                                                                            | Wyoming†                          |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|
| Milk.            | .....                                                                                                                                                                                                  | Solids, not fat, 8%.<br>Fat, 3%.                                                                                                                                  | .....         | Fat, 3%.<br>Viscogen may be used<br>if labeled.                                                                                       | .....                             |
| Cream.           | .....                                                                                                                                                                                                  | Fat, 18%.                                                                                                                                                         | .....         | .....                                                                                                                                 | .....                             |
| Butter.          | .....                                                                                                                                                                                                  | .....                                                                                                                                                             | .....         | .....                                                                                                                                 | .....                             |
| Cheese.          | .....                                                                                                                                                                                                  | Wash. state full cream<br>C. Butter fat, 30%<br>min.<br>Skim. 15% min.<br>Filled C. and cheese<br>cont. less than 15%<br>fat prohibited.<br>Fancy cheese excepted | .....         | Full cream, made from<br>whole milk.<br>Skim cheese, size regu-<br>lated.                                                             | .....                             |
| Process Butter.  | .....                                                                                                                                                                                                  | To be branded<br>"Renovated."                                                                                                                                     | .....         | Labeled "Renovated."                                                                                                                  | .....                             |
| Oleomargarine.   | Anti-color law.                                                                                                                                                                                        | Anti-color law.                                                                                                                                                   | Colored pink. | Anti-color law.                                                                                                                       | .....                             |
| Condensed Milk.  | .....                                                                                                                                                                                                  | .....                                                                                                                                                             | .....         | .....                                                                                                                                 | .....                             |
| Vinegar.         | Acid, 4.5%.<br>Cider V., solids, 2%.                                                                                                                                                                   | R. Acid, 3.5%.<br>Fermented—<br>Solids, 1.75%.<br>Ash, .25%.<br>Colored distilled pro-<br>hibited.                                                                | .....         | Acid, 4%.<br>Cider V., solids, 2%.<br>Colored distilled legal<br>if labeled.                                                          | .....                             |
| Preservatives.   | .....                                                                                                                                                                                                  | Prohibited in milk and<br>liquors.<br>Salicylic acid pro-<br>hibited.                                                                                             | .....         | Prohibited in milk and<br>catsup.                                                                                                     | .....                             |
| Candies.         | Mineral substances<br>prohibited.                                                                                                                                                                      | R. Mineral substances<br>prohibited.                                                                                                                              | .....         | .....                                                                                                                                 | Mineral substances<br>prohibited. |
| Baking Powder    | Alum powders special-<br>ly protected by law<br>from operation of<br>label law.                                                                                                                        | May be sold without<br>formula, but if acid<br>ingredient is named<br>all constituents<br>must be given.                                                          | .....         | Alum powders to be<br>labeled.                                                                                                        | .....                             |
| Extracts.        | .....                                                                                                                                                                                                  | .....                                                                                                                                                             | .....         | Artificial prohibited if<br>genuine can be<br>made.<br>Lemon—oil lemon, 5%<br>Vanilla—Comp. per-<br>missible.<br>Coloring prohibited. | .....                             |
| Jellies & Jams.  | .....                                                                                                                                                                                                  | .....                                                                                                                                                             | .....         | R. Coloring of artificial<br>prohibited.                                                                                              | .....                             |
| Liquors.         | .....                                                                                                                                                                                                  | Preservatives and sac-<br>charin prohibited.                                                                                                                      | .....         | .....                                                                                                                                 | .....                             |
| Miscellaneous.   | Flour "Family," "Ex-<br>tra fine," "Super-<br>fine," "Fine," or<br>"Middling," "Corp-<br>meal," "Fine meal,"<br>Bread, "Fine bread,"<br>Mixed flour labeled<br>"Combination" and<br>ingredients given. | Saccharin and coal<br>tar dyes prohibited<br>in food products.<br>R. Peas and pickles<br>cannot be colored<br>with copperas. (See<br>note.)                       | .....         | R. Dry mustard,<br>spices, cream tartar,<br>maple sugar must be<br>pure.                                                              | .....                             |
| †No Commission   | .....                                                                                                                                                                                                  | .....                                                                                                                                                             | .....         | .....                                                                                                                                 | .....                             |
| *Dairy "         | .....                                                                                                                                                                                                  | .....                                                                                                                                                             | .....         | .....                                                                                                                                 | .....                             |
| *Food "          | .....                                                                                                                                                                                                  | .....                                                                                                                                                             | .....         | .....                                                                                                                                 | .....                             |
| R Ruling         | .....                                                                                                                                                                                                  | Note: Evident'y blue<br>vitrol or copper in-<br>tended                                                                                                            | .....         | .....                                                                                                                                 | .....                             |

The form of label required by law is often inseparable from the standard demanded for food products. The table of standards includes some regulations as to labeling. Others governing the more common food products are as follows:

|                 |                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-----------------|---------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Coffee—         | Illinois—<br>Michigan—<br>Pennsylvania—<br>Washington—                          | Mixtures labeled "Coffee Compound."<br>Mixtures labeled "Coffee Compound."<br>Name of adulterant on label.<br>Labeled "Coffee Compound," with name of constituents on label.                                                                                                                                                                                                                                     |
| Canned Goods—   | Illinois—<br>Michigan—<br>Ohio—<br>S. Dakota—                                   | Labeled with grade or quality. "Soaked" or "bleached" goods so marked.<br>"Soaked" or "bleached" goods marked.<br>"Soaked" goods to be labeled.<br>Greening prohibited.                                                                                                                                                                                                                                          |
| Flour—          | Delaware—<br>Illinois—<br>Indiana—<br>Michigan—<br>S. Dakota—<br>Virginia—      | Superfine, labeled "S. D."; Common, "C. D." and inferior, rejected.<br>Mixtures labeled "Compound."<br>Three qualities: "Superfine," "Fine" and "Coarse."<br>Buckwheat mixtures and compounds allowed if labeled.<br>Farinaceous mixtures sold under coined name.<br>Four qualities: "Family," "Extra fine," "Superfine" and "Fine," or "Middlings." Mixed flour<br>labeled "Combination" and ingredients given. |
| Honey—          | Washington—<br>Minnesota—<br>S. Dakota—                                         | Compound and self rising buckwheat allowed.<br>Feeding bees cane sugar or glucose prohibited.<br>Adulterated honey labeled with name of compounded substance. Honey made by feeding bees<br>glucose or sugar prohibited.                                                                                                                                                                                         |
| Maple Sugar and | Syrup—<br>Illinois—<br>Michigan—<br>New York—<br>Wisconsin—                     | Must be pure.<br>Must be pure.<br>Mixtures must be labeled with names of ingredients.<br>Maple sugar must be pure.                                                                                                                                                                                                                                                                                               |
| Molasses—       | Connecticut—<br>Illinois—<br>Maine—<br>Michigan—<br>Louisiana—<br>South Dakota— | Glucose prohibited.<br>Containing glucose to be labeled "Glucose Mixture."<br>Glucose an adulteration.<br>Containing glucose to be labeled "Glucose Mixture."<br>Requires specific labeling.<br>As a general rule, in harmless mixtures the word "Adulterated" should precede the name of the<br>adulterated article.                                                                                            |



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JOURNAL OF PROCEEDINGS  
OF THE  
FIFTH ANNUAL CONVENTION  
OF THE  
National Association of State Dairy and Food Departments.

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BUFFALO, NEW YORK, OCTOBER 15th, 16th and 17th, 1901.

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*Buffalo, N. Y., Oct. 15th, 1901, 10 a. m.*

The Convention was called to order by Hon. Alfred H. Jones, President.

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PRESIDENT JONES: Gentlemen of the Convention, please come to order. I take pleasure in introducing to you Doctor Diehl, mayor of Buffalo, who will deliver the welcome address.

ADDRESS OF WELCOME BY HON. CONRAD DIEHL, MAYOR OF BUFFALO.

Mr. President, Ladies and Gentlemen: I might start out by saying that I am not a speaker; I am an ordinary practitioner of medicine and sort of accidentally having practiced medicine here for a large number of years, I got into the position that I now fill, and it certainly, on behalf of the city, gives me extreme pleasure to extend to you a most hearty welcome to our city.

As a doctor, which I have been and will be again in a short time, I can say to you that I wish I had the faculty of expressing my gratitude towards you gentlemen for the good that you are doing to the community at large. The title of your association, "National Association of State Dairy and Food Departments," what does that mean to the civilized world to-day? I think I could speak more intelligently if I were a speaker on that subject than on almost any other public question that is before us to-day. I look back to my practice of medicine 35 years ago, when during the months of July and August there would be—I was going to say a funeral procession—but in front of my house every day there would be 20 to 30 baby wagons with poor little waifs in them coming for treatment, the treatment at that time, if I do say it, was more to cure the disease. We did not know enough to find the cause of the disease and remove the cause and thus avoid the treatment of the disease. To-day, in the several hospitals I am connected with, the treatment of

diseases, especially in infants, is almost a thing of the past. We are now working at the cause of the disease and removing the cause, and thus avoiding the treatment of the disease. I know that in one large institution, an infant's institution, in these days I usually filled out blanks in advance, so that they could die when they were brought in there before I had hardly seen them, because in their feeding they had been given food that was decomposed and full of bacteria, such as milk, and they were kept busy in trying to correct that by giving medicine to stop the vomiting and diarrhoea and other infantile diseases. And when you try to stop it before it gets into the stomach, the words of men can hardly express to you my feelings for the fight which your association is making for pure dairy and food products. The people hardly appreciate the changes that have taken place in my 35 years of practice, and your association is the one that is entitled to the credit for that change.

I hope you will excuse me, as I am not a speaker and have talked at random, just as it has come to me. Thirty years ago one of the objects I looked forward to was when I got so in my practice that during the month of August I could afford to go fishing and avoid that part of my practice because the results were so unsatisfactory. Death stared me in the face. I looked forward to that opportunity and thought I would be satisfied to practice medicine when that time came, but the way we stand in medicine to-day, it is an entire change, so that to-day—I cannot give you the exact figures—but there is a large reduction in the death rate as the result of food products being brought to the sick and the well as they should be, and that is where your association deserves credit.

So, I not only want to welcome you and offer you the freedom of the city and hope you will enjoy it, and hope you will enjoy seeing our expo-



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sition, but I want to thank you for what you are doing because all sections of our good country are interested in your discussions here, and your papers and discussions and interchange of thought cannot but be of benefit to mankind generally.

Gentlemen, I thank you for what you are doing, and I really feel, although I tender you the freedom of the city and want you to see our beautiful city, I really feel that the City of Buffalo feels honored and thanks you for what you are doing.

Mr. President, I thank you for listening to these few scattered remarks, and again thank you for what you are doing for the benefit of mankind.

PRESIDENT JONES: Gentlemen of the Convention, you have heard the welcome address of Mayor Conrad Diehl and the kind words spoken. I now have the pleasure of introducing to you the Honorable John B. Noble of Connecticut, who will deliver the response.

Mr. President and Your Honor the Mayor: We return hearty thanks to you for the kind words of welcome which you have extended to the members of the National Association of State Dairy and Food Departments and for the words of sympathy and the words of encouragement which you have extended to us. We assure you that we are very glad to come to this great empire state of New York to hold our annual meeting, a state which is renowned for its great prosperity, for its agricultural interests and all of its financial influences, a state which is renowned for its able men in both state and national affairs; a state that has always taken a prominent part in the affairs of the nation from its inception to the present time, and we assure you that we are very glad to come to this beautiful City of Buffalo, over whose interests you have the honor to preside, and to come at this time when you are holding here this great Pan-American Exposition, which is showing to the nation and the world the great advancement that has been made along industrial lines in America.

We come, your honor, as law-abiding citizens,

believing in just laws and their practical enforcement. We believe and we are very glad that the departments which we represent are engaging the thought and the attention of the people of the country as never before. We believe that pure food and pure drink is a moral obligation and right, and we come here, your honor, for the free discussion and interchange of thought in regard to the laws of the different states, with the belief that the inspiration and information which we shall gather here will be of great help to us in enforcing the laws in our own states and carrying on the work there. We shall carry away with us, your honor, many happy thoughts and remembrances of this meeting here in Buffalo, but we assure you that none will be more so in our minds than the words which you have extended to us. We thank you for those words and we ask you to accept our hearty thanks and our best wishes for your future welfare and prosperity and for the welfare of the City of Buffalo.

On motion of Mr. Blackburn the thanks of the association were extended to Mayor Diehl for his words of welcome and encouragement.

President Jones then addressed the convention as follows:

Gentlemen of the Convention:

This is the second time we have been called to meet at this place to hold our fifth annual convention. The first meeting was arranged to be held the 17th, 18th and 19th of September. At that time the whole country was in mourning over the assassination of President McKinley, and on account of this horrible crime our convention was postponed until this time.

Now that the first terrible shock is over, and our country is rallying from its grief, we shudder at the deed and the thought that here in this land of liberty that has been an asylum and home for the oppressed people of the Old World; here where we have taken all who come to our shores and welcomed them to our midst and gave them

the benefit and enjoyment of our free institutions and made them welcomed among us—that notwithstanding all we have done for them there is a class of people who have come among us and do not appreciate these institutions of ours, nor do they appreciate what our people have done for them. They come to our shores with murder and treason in their hearts; they come as enemies of our institutions and our people; they come with the assassin's gun and dagger, with the torch and firebrand of the incendiary, with the dynamite and all that goes to make up their paraphernalia. They come as the braggart and boastful come, proclaiming their views, their doctrines and teachings. As anarchists their emblem is the skull and cross-bones, their banner the blood-red flag of death, and destruction to government, to our rulers and those in authority, to property and to our Christian civilization, their boast.

Too long have the good people of our country sat supinely by, with their hands folded, and witnessed this lawless band of anarchists parade our thoroughfares and harangue the populace from the street corners—until the culmination of all their diabolism was the murder of our beloved President by one of these red-handed murderers. But at last a long-suffering people is fully aroused and anarchy, murder and rapine with its skull and cross-bones and red flag, must go. Its hydra head will be driven from our fair land and it will be compelled to return to the land that gave it birth, and no more will its vile breath poison and contaminate our pure air.

My co-workers in the cause of pure and wholesome food, I wish to congratulate you upon the progress made during the past year and the good work that has been accomplished along the line of our work.

There are numerous obstacles to be encountered and some of these obstacles seem almost insurmountable. But if we cannot surmount them, or scale them as Napoleon did the Alps, we may, like the modern engineer, avoid that route by tunneling through these difficulties. One of the first maxims of the law is that it is the perfection of reason. The second maxim is that law is universal, and the third maxim is that law has a remedy for every wrong. And we should not forget that these three axioms are as true to-day as they were when King Alfred the Great of England founded the "Doomesday Book" and the right of trial by jury, a thousand years ago, and will remain true as long as our Christian civilization endures.

The ruling that every article of food should be properly labeled, stamped or branded is acknowledged by every one interested in an honest food product to be right, for there is no way of detecting an adulterated or impure and unwholesome article of food unless this is the law. This requirement is the perfection of reason, and it is uni-

versal, and the courts and juries will enforce it should there be a penalty against the wrong-doer for not complying with this ruling.

When we consider the very short time that any of our state food laws have been in force, and the demoralized condition of the food markets in our respective states, when we as commissioners were appointed, and when we further remember the intricate duties attendant upon the opening of a new department of the state government, and that it should be the purpose of the commissioner to act in all things with due care and circumspection, and without such haste as might lead to the necessity of retracing steps taken without deliberate consideration, the declared purpose of the law being kept constantly in view, so that the great interests to be effected should be promoted and safeguarded, to the full extent of our ability, the field of labor being a new one with many obstacles to be removed and difficulties to be overcome; and when we further remember that these laws were new and had to be construed and passed upon by our courts, and in many cases the laws were drafted by those inexperienced in such matters, and not familiar with the duties attendant upon formulating the laws; and owing to this want of knowledge as to the requirements of a legal law, very frequently the law was declared unconstitutional, or, as construed by the courts, became inoperative, and the remedy sought wholly failed—then we remember a cry of exultation would go up from the vendors as well as the retailers of adulterated, impure and unwholesome foods, that the courts had declared the state food law unconstitutional or inoperative, and consequently the laws could not be enforced; and if possible these manufacturers and dealers in the food products of our country would become bolder than ever before.

But, my friends, when we think of these things and grow wearied, let us not grow despondent, but brace up, for our cause is just and you know the great English bard of Avon wrote: "Thrice armed is he who hath his quarrel just." Let us remember that all other departments in the interests of the people have had their reverses and defeats and still have them. Remember that when railroads were built and franchises granted the companies managing and controlling these railroads claimed that the franchise granted them by the state was a vested right and neither the state nor national government had any right to regulate their passenger or freight rates. And when a state commission was appointed and the state railroad commissioners made their rulings regulating freight and passenger rates, the railroad companies at once declared them unconstitutional and resisted them, just as the vendors of adulterated, impure and unwholesome foods are resisting the rulings of the State Dairy and Food Departments. Test cases were



made and taken to the highest courts of the land, and in each and every case the courts held the laws, when properly drawn, constitutional, and that they must be obeyed. But these wiseacres were mistaken then and they are mistaken now. They have seen that these laws are universal; that they are the perfection of reason and that their acts in resisting them were wrong, and the law remedy that wrong. These same laws now regulate the railroads and the railroads are carrying their passenger and freight traffic under the regulations of these commissioners.

Again, when the national government created the Interstate Commerce Commission to regulate the railroads of the United States which had lines traversing more than one state, these same railroad companies raised the cry that this law was unconstitutional and consequently void. But the highest courts of the land have passed upon that law and have declared it valid. Did you ever notice how anxious an association or organization or combination of individuals, and sometimes an individual becomes for fear the sacred rights of a sovereign state will be violated, or a state or our national constitution be trampled upon or violated, when said law would affect the aforesaid association, organization or corporation or individual and prevent them from perpetrating a wrong? These individuals at once go to studying and expounding the constitution for the purpose of helping them perpetuate their wrongs against the people. But they go in vain, as *law is the perfection of reason*, and it would not be reason or justice unless the same law that granted the corporation the franchise would afterwards regulate and control it, after it was created. If this were not true, then the creature would be greater than the creator.

The question of properly labeling, branding or stamping the various food products of our country so that the consumer may know just what the article is that he is purchasing, and suitable laws to compel this to be done by the manufacturer or jobber, is the most important question with which we have to deal.

One of the objects of these national meetings is to obtain uniformity of laws and rulings in regard to the manufacture and sale of the different food products. As soon as we can obtain uniform laws and rulings then the enforcement of the laws prohibiting the sale of adulterated and unwholesome food will be made comparatively easy. As it is now, the manufacturer in Illinois has to prepare his labels for Illinois in conformity with the laws of Illinois, and for Wisconsin in conformity with the laws of Wisconsin, and so on for each state in the Union, whereas, if a uniform law and rulings can be secured for every state and territory, then substantially one form of labels will answer for every state and territory in the Union. And there is no good reason why

the law on all these food products might not be substantially the same, and applicable alike in every state and territory. It will teach what we are endeavoring to teach—that the public should be plainly advised as to the true name of the article or ingredient of food. Such an arrangement will leave the individual the sole arbiter, as he should be, whether he wants his honey diluted with glucose, his coffee cheapened with chicory, his baking powder compounded with alum or cream of tartar, or his butter produced from tallow or cotton seed oil. So long as the consumer knows what he is getting, the principal thing has been accomplished. If the good housewife wants her butter brightened with annatto, or her cheese tinted with tumeric, or her raspberry sauce created from gelatin, tartaric acid, raspberry ether and glucose, made to look like the cheeks of Venus with rosaniline, that is her lookout: only she has a right to know what she is eating and offering her children to eat.

These national meetings have been of great assistance to every dairy and state food department and productive of good results, as on such occasions are discussed the best means of educating the people up to the fact that adulteration of the various food products destroys legitimate industry, fosters deception and fraud and lowers the moral standing and weakens the credit of our people, and that proper legislation and rulings in regard to pure food are in the interests of the people, not only from the standpoint of health and longevity, but financially as well. During the last session of congress various national pure food bills were introduced in the House of Representatives, and some of them passed there, but were defeated in the senate. These measures had been endorsed by the dairy and food departments generally of the various states.

For promoting national legislation along this line a National Pure Food Congress was held in the City of Washington, at which were present delegates from thirty-one states, and after a discussion lasting two days that body voted unanimously to endorse what is known as the Babcock bill. That bill provides for the establishment in the department of agriculture of a division known as the pure food division, which shall be properly equipped with expert chemists and laboratories for enforcing the law. This proposed law does not prohibit the manufacture and sale of adulterated food products, when not deleterious to health, but does require all such adulterations to be properly and plainly labeled stamped or branded, according to the requirements of the law, so as to advise the customer of their exact composition. If the passage of this law, or some similar law, could be secured, it would certainly meet with the approval of all consumers, and of all manufacturers or producers of pure articles, and these two classes will

include nearly all the people of the country. The only real opponents will be the few people who are now manufacturing adulterated food or drug products and selling them for the price of the pure article. When the composition of such adulterated articles is required by law to be placed upon the package, they will be sold at a less price, and the consumer will get the advantage of the profits of the manufacturer.

While Congress has been halting and hesitating over the consideration of pure food laws, and seems inclined to do little to protect purchasers and consumers against the sale of adulterated foods and food compounds, the interests of eighty millions of people in securing legislation regulating the sale of adulterated articles of food, and of having every article of food properly labeled, branded or stamped is increasing, and to-day every state, with I believe a single exception, has placed a law upon the statute books regarding this matter. Can the United States, with its almost limitless resources, afford to procrastinate longer with so grave a situation, when not only health and life are at stake, but the nation's honor also? There must not only be state laws enacted, but a national law should first be enacted and enforced that will govern the whole question of adulteration, false labels and misleading advertisements, etc. And after such national law is enacted, then every state should substantially adopt the national law, by enacting and enforcing the same in the respective states. We can then secure such uniform laws and rulings, and the manufacturer and dealer will be compelled to furnish the quality and quantity he advertises. As soon as this can be accomplished our goods will find a ready market not only in our Pan-American countries, but in the Old World as well, and that without having to pass inspection.

A great many reforms are being suggested in the administration of our state dairy and food laws, and "law reformers" were never more numerous than at the present time. In a great part, the measures of relief suggested are to be accomplished by legislative enactment. There seems to be a large degree of confidence in the public mind as to the practicability of accomplishing any desired end by placing the new laws in the volumes of our statutes. This is not surprising when we reflect that the present generation has seen the powers of government in the United States enlarged almost infinitely beyond the conception of a century or even half century ago. The older people of this day with their own eyes saw, for the first time, the federal government come to the individual citizen and without intervention of the States. They heard it speak directly to him and in the language of authority. They have seen the government, in their day, come to the market and buy everything that could be produced on farm or manufactured in factory or shop. It is, then, per-

haps not very strange that under all these influences for almost fifty years we should naturally absorb the idea that with the aid, or by the act of government, everything is possible, and without written law of government nothing very effectual or useful can be done. The common law is substantially in force in the United States. It is said to be "the accumulated wisdom of the centuries." It grew with the growth of the English-speaking people. They brought it with them to the wilderness of the New World and it has served well its purpose here, while a nation has been born and grown to strength and become a world power. We find that human nature was not essentially different in the days of its early history from what it is at present. People forestalled markets to enhance the price of merchandise; cornered the food market for the same purpose and created monopolies then as now, and for so doing were punished under the common law. It was a misdemeanor under the common law to sell unwholesome provisions, whether to the army, the navy or to private individuals. Cheating, forestalling, re-grating and engrossing were public offenses and subjected the offender to quite severe penalties.

We live in an enlightened and progressive age—an age of evolution and development. As a people we boastfully point to the great things we have accomplished in mechanics, in chemistry, in philosophy, in physics—indeed, in all branches of science and art. Where sailing vessels, dependent upon the varying humor of the winds, once slowly bore our commerce on rivers, lakes and oceans, gigantic steamships now plough the water against the wind and current; the slow-moving canal boat and the lumbering stage coach have given way to the rapidly moving freight train and the lightning express. We now traverse within a few hours the same distance that our fathers consumed days in covering. The mysterious power of electricity has been brought within such control that you may stand in the City of Buffalo and converse with a person in any part of the civilized world, although a few years ago weeks or months were required to carry these same messages. We never tire of such comparisons. We may continue them for hours because the material is all around us. And yet, with all of these evidences of progress and advancing civilization in our midst, we find it nearly impossible to secure that kind of legislation in the different states of the nation by which we may ferret out and punish the manufacturers and venders of impure and adulterated and unwholesome foods.

Owing to these marvelous changes that have taken place in the last half of the 19th century all sorts of business have gradually become organized.

It is a waste of time to tell this association of the vast importance of organization, for all know the manufacturers and dealers in these food prod-



ucts feed the world, that they furnish food for the millions of the earth, that you can tell the standard of civilization of any nation or people by their food supplies; that when the food is pure and wholesome men laugh and are happy as they toil, women sing and make merry as they work, and children grow, develop and make noble men and women. That in order to feed the millions of people, long railroad trains cross the continent and mighty ships plow the seas. That thousands of factories for the manufacture of these food products have been organized and given employment to millions of people whose wages build happy homes and opulent cities. That when these food products are pure and wholesome, all enterprise is prosperous, and when they are unwholesome and injurious to the health, all enterprise languishes and decays.

Nor need you be told that if these food products be allowed by law to become adulterated, unwholesome and injurious to health, that the myriad streams of commerce would stop their mighty flow, the wheels of these mighty trains that cross our continent would cease to move, these mighty ships would lie idle at their docks, and the grass would grow in the streets of our great cities. Again would history repeat itself and our people would fall from their high state of civilization and gradually decline and retrograde into the barbarism of the Dark Ages.

back into the barbarism of the Dark Ages.

My friends, we have seen what can be accomplished by organization, and I am no Jeremiah crying out against these great organizations and combinations of individuals and capital; nor am I a believer in the doctrine that they foretell the destruction of the Republic, but on the contrary I believe in them, and think that it is only through such agencies properly regulated by law that the great work of the future can be more fully accomplished, and I think every state food commissioner will agree with me that he has less trouble with these large corporations engaged in the manufacture and sale of the various food products in securing an observance of the law and rulings made in conformity therewith than he has with the small firms and individual manufacturers and dealers, as these large organizations can be reached more readily by the law and have more at stake, and should a prosecution be instituted against them it would call the attention perhaps of the whole state to the fact that they were engaged in the manufacture, or dealing in impure, adulterated or unwholesome food products and thus cause them a great loss to their business and reputation, and no corporation, organization, combination or individual can long succeed in business if such business is carried on in violation of the state food law and rulings.

We may fail occasionally in securing a conviction against a guilty party, but we must take into

consideration that in the administration of justice there are failures of conviction under all sections of the criminal code, for under our jury system that allows the corporation or individual to be tried by a jury of twelve men, owing to the perversity of human nature it is sometimes hard to convince all twelve of them that the violator of the law is guilty. And for this very reason the prosecution may fail in that identical case. But in this day of newspapers and reporters, before the prosecution is over the press has informed the people of the state, and the word has gone out that the party was guilty, and even though the jury may not have seen it in that light, the people understand it and if the violator does not reform and observe the law a few more vigorous prosecutions will have the desired result of compelling the guilty party either to observe the law and conform to the rulings made thereon or to quit business. In other words, the guilty party will be taught that honesty is the best policy.

Gentlemen, I did not have the honor of being enrolled as a charter member of this association, when the association was organized at Buffalo about four years ago. Illinois, the state that I have the honor of representing, had not then created the department of state food commission. But on the 16th day of October, 1899, as soon as my appointment as state food commissioner was made, I immediately met with this association, which was then in session at the Palmer House in Chicago and became enrolled as a member, and ever since have been a zealous and enthusiastic believer in the society.

When you made me your President at our last meeting in Milwaukee, and I undertook to discharge the duties of the office, I found that our association was hampered on account of not having a suitable constitution and by-laws, properly regulating its affairs; also that it did not, in my opinion, have the proper committees to carry on the work necessary in securing the enforcement of the state food laws and the various objects for which the organization was instituted.

The primary objects of the organization of this association were to secure uniform laws, rulings and actions in the various states of the Union; also to secure, through our National Congress, a law creating a national food department, and a commissioner at the head of the department with authority to not only enforce the law, but make all proper rules and regulations.

In order to obviate the difficulties under which this organization is laboring, I have prepared a constitution for this society which embodies provisions for the appointment of the necessary committees, and herewith submit the same for your approval.

Members of this association, we have a great work allotted to us. In one respect I might say that the health and prosperity of our country is in

our keeping, for no higher duty, in my mind, can be assigned to any department or individual than to look after the food of the people, and in our meetings during this session I hope that all our members may feel free to take part in the discussions of the different topics or questions that may come up before the association.

PRESIDENT JONES: If it is the pleasure of the convention I can pass the Constitution and by-laws over to the Secretary and have them read.

MR. BLACKBURN: I was just going to suggest that the address and recommendations made be submitted to the proper committee whenever appointed by the chair. I so move that the recommendations of the President's address in all matters pertaining to the organization and its welfare be submitted to the proper committee when appointed by the chair.

MR. PATTERSON: I second the motion.

PRESIDENT JONES: Commissioner Blackburn, was it your idea that we should appoint the committee now?

MR. BLACKBURN: I will leave that to the chair. I believe that the appointment of committees was one of the first things to come up at this meeting, but it may as well go over until to-morrow, as they are not all here to-day.

Which motion was put by the chair and carried.

MR. BLACKBURN: There is one suggestion I feel like making at this time, and that is in regard to this committee on uniformity of laws and rulings. It is a very important committee. We have not met for nearly a year, about a year. Since the last meeting Mr. Grosvenor of Michigan has become disqualified from serving by the expiration of his term. Mr. Adams of Wisconsin, the third member of the committee, is not here to-day. He may be here to-morrow, but there is a possibility that he may not be here even then. I have been informed that there are some very important questions to come before this committee and before the association, probably by to-morrow, and, being the only member of that committee present, I hesitate to act upon those questions without consultation with other members, and I would like to ask, for myself at least, that Mr. Hamilton, the Secretary of Agriculture of Pennsylvania, be added to this committee in Mr. Grosvenor's place, at least for the present.

PRESIDENT JONES: Is there any objection on the part of the convention to Mr. Hamilton being appointed as a member of the committee? If not, it will be so considered, if there is no objection to it. I agree with Commissioner Blackburn that this is one of the most important committees we have and upon it rests the suc-

cess of a good deal of the work to be performed by the commissioners of the different states.

I believe the next thing in order is the address of Mr. Adams. He is not here. Does any one know whether Mr. Adams will be here or not?

MR. BLACKBURN: I had a letter from him Sunday saying that he would be here if possible.

PRESIDENT JONES: Now, upon that address of Mr. Adams' there were to be some discussions. I presume that those ought to be postponed until we see whether Mr. Adams will come.

That concludes our program for to-day as I understand it. What is your further pleasure, gentlemen? I would suggest, if there is no objection that this proposed constitution and by-laws be read by the secretary so that all of the members may hear it. It provides for these committees so that if that is done, and we could adopt it, if it meets with the views of the members present, we could appoint the committees under this. There are, as I recollect, some four or five different committees.

On motion of Mr. Bailey, the secretary read the proposed constitution and by-laws.

Commissioner Bailey extended an invitation to the members of the association to visit the exposition grounds, and particularly the Oregon Building, and on motion of Mr. Blackburn the invitation was accepted.

MR. HAMILTON: Before we adjourn, I desire to say that there are some gentlemen expected from our state who represent food manufacturers, who have some matters which they want to discuss before this meeting, and I have invited them to come here to-morrow. I hope that a place will be made for them so that at the proper time they can be heard. The subject that they wish to talk upon is one of great importance to all the food commissioners, namely, food adulteration, and I think we will be likely to get some information from them. I believe that we ought to invite to these meetings, the representatives of food manufacturers, so that we may get at the difficulties that they have to encounter in preparing food to comply with the laws of the different states, and I doubt not that we shall get good suggestions of a practical character. I hope that when the program is made up to-morrow, a place will be given for these gentlemen to appear. I move that a special order be made for 11 o'clock to hear these food manufacturers.

Which motion was duly second and carried.

On motion of Mr. Bailey the convention adjourned until 10 o'clock the following day.

WEDNESDAY, OCT. 16, 1901.

Convention met pursuant to adjournment at 10 o'clock a. m.

PRESIDENT JONES: I wish to say, gentlemen, that we have some more states represented this



morning. If you have not all met and got acquainted with each other I hope you will do so. We want you to feel free to take part in the discussions of these papers as they come up. We will have a roll call so that we may have a proper record of the states that are represented.

Thereupon the secretary called the roll.

MR. BLACKBURN: Mr. Cowan of Ohio is not here, but I have his paper, and I received a telegram from Mr. Herbst asking me to give his regards to all members of the association present.

PRESIDENT JONES: Gentlemen of the Convention, Mr. Adams of Wisconsin, who was down for an address yesterday, is not here. Mr. Patterson is here with an address. The question is whether we shall hear his discussion of it, or pass on to the next.

MR. BLACKBURN: Mr. Adams may be here later.

PRESIDENT JONES: The first thing on the program to-day is an address by Honorable J. E. Blackburn, commissioner from Ohio. His subject or topic is "The Necessity for Standards Relative to Food Products."

## THE NECESSITY FOR STANDARDS RELATIVE TO FOOD PRODUCTS.

By Hon. J. E. Blackburn, Ohio.

Mr. President: I have divided this question into two standards, or two divisions, applying, as our law does, to drugs and to foods. This is the way we classify them, and as drugs comes first I discuss this question first.

### DRUGS.

There is no one thing that causes the average "pure food" commissioner so much trouble, in assuming the duties of his position, as the absence of recognized authorities and standards of "quality, strength or purity."

Nearly all the so-called pure food statutes have a clause, or paragraph therein copied from the English law on the subject, and is substantially as follows:

Section 1. \* \* \* That no person shall, within this state, manufacture for sale, offer for sale or sell any drug or article of food which is adulterated, within the meaning of this act.

This is the Ohio law as it stands to-day and it has stood substantially in this form since March 20, 1884. On account of the insufficient legislation and appropriations, this law was not enforced until about 1892, since which time it has been fairly active and has done more good than the general public will ever know, realize or appreciate.

It is not so much what has been done under this act that I wish to discuss (see annual reports of the department for that), but to point out, if I can, what it might or should do, or wherein it falls short, in my estimation, of being an ideal piece

of legislation. As we sometimes say to our chemists, let us analyze it.

The first part of the law, after the enacting clause, and known as section 2, reads as follows:

Section 2. The term "drug" as used in this act shall include all medicines for internal or external use, antiseptics, disinfectants and cosmetics. \* \* \*

You will observe that the general terms "drug" is held to include all medicines for internal or external use, disinfectants and cosmetics. This sounds like a shot gun prescription and was doubtless meant to include everything used as a remedial agent by man, either as a preventative or restorative, and, as a friend remarked to me once, everything used by women, whether to prolong existence by recognized remedies or shorten it by nostrums and dangerous cosmetics.

Section 3 is a definition that must be taken in connection therewith, and is as follows:

Section 3. An article shall be deemed to be adulterated within the meaning of this act:

(a) In the case of drugs: (1) If, when sold under or by a name recognized in the United States Pharmacopoeia, it differs from the standard of strength, quality or purity laid down therein; (2) If, when sold under or by a name not recognized in the United States Pharmacopoeia, but which is found in some other pharmacopoeia, or other standard work on materia medica, it differs materially from the standard of strength, quality or purity laid down in such work; (3) if its strength, quality or purity falls below the professed standard under which it is sold.

A careful study of this definition gives one the feeling of having the ground gradually cut from under them, for these reasons: *If* it is sold under or by a name recognized in the U. S. Ph. WHAT U. S. Ph.? This is the only recognized standard of authority among physicians and druggists of the United States and all other medical works of general use are based thereon. This authority is subject to revision and is revised every ten years, and it took several years of litigation to find just what Pharmacopoeia applied. So there could be no error in the application of the law, the court held in the case of *State vs. Emery* that the Pharmacopoeia in force at the time the law was passed (1880) was the only one that could be accepted, and this has been our authority in Ohio ever since.

By this and a long line of decisions, it has been held that the courts or department could not recognize any later edition of this same work without special enactment by the legislature, because to do so would mean, in effect, the delegation of authority to legislate for the people of Ohio to a body of men, the majority of whom were not even citizens of the state. It is admitted that the legis-

lature can do a great deal, but they have not, and cannot, delegate their authority to others.

The second part of the definition: If, when sold under or by a name not recognized in the United States Pharmacopoeia, etc., is too vague and indefinite to be very effective, as it would be incumbent on the prosecution to prove what was a work on materia medica, and to prove, further, that the authority offered was a standard work; and there would be nothing to prevent a defendant producing authorities showing different standards of strength, quality or purity, as it is a blessing and privilege we all enjoy to the utmost, that of accepting any standard that suits us as individuals, and where is the official, be he executive or judicial, who will say us nay?

The second part of this definition is meant, apparently, as a catchall, and we sometimes may find it convenient for "bluffing" purposes to correct an evil. As a valuable or a useful statute in litigation, however, its utility remains to be demonstrated.

The third part of this definition is the gist of the whole question, and it, too, fails to cover the points involved in a thorough or satisfactory manner, and is as follows:

(3) If its strength, quality or purity falls below the professed standard under which it is sold.

This gives a fairly good basis of action, but, in many respects is unsatisfactory, because of the fact that the dealer will always claim either a misunderstanding of what the customer (or inspector) called for, or attempt to explain away the apparent adulteration or deterioration by some plausible story that will exonerate him in the eyes of the jury, or a part of them.

But it is not with the official or staple drugs that we have the most trouble in Ohio. As a rule the druggists are competent judges of what they buy, prepare and sell, and public opinion is so strong and severe in punishing offenders in this line when exposed, that we have no trouble in enforcing reasonable requirements among legitimate druggists; on the contrary, they will usually conform cheerfully to the most exacting requirements of the department to avoid prosecution.

There are many proprietary remedies sold by the drug trade, for which they cannot properly be held accountable, that are needing the attention of the pure food departments and health boards all over the country. We have had experience with some of them in Ohio, but the difficulty lies in the fact that there is no recognized "standard" for such quackery. The doctors, of course, denounce them all; the druggists properly refuse to endorse them, claiming ignorance of their contents; but the proprietary association stands by their members and each man claims his remedy is better than all of the others, so that each so-called "remedy" is like the mule in this respect—without pride of ancestry or hope of posterity.

All of this indicates the pressing necessity for acceptable or recognized standards of wider scope than we have in Ohio, and I believe I can say, without being thought egotistic, that we are as much advanced along those lines as any department in the Union.

It is useless to call attention to these things unless a remedy can be suggested, and here is what I would require if I had the legislative power to do so:

I would accept part 1 of these definitions as it is, except ask the legislature to change it to apply to the current copy of the Pharmacopoeia, so as to keep the standard up to the times in the march of science and the discovery of new remedies of known efficacy.

I would take part 2 of this definition and make it apply to the National Formulary, with the same conditions as to change of editions. I would further add the recognition of the U. S. or American Dispensatory as authority, thus legalizing the standards recommended therein when sold true to name and properly labeled.

I would leave part 3 of this definition about as it now stands, but amplify it to apply to patents and proprietary medicines and require the makers to certify, on each bottle offered for sale, that it contained no dangerous or narcotic drugs like morphine or cocaine; or, if such objectionable ingredients were used, require the facts to be stated on the label as to name and amount used.

This would cover the drug question fairly well and give a definite and tangible basis upon which to proceed in the correction of abuses.

#### FOODS.

If there be any doubt as to the meaning of the statute in the case of drugs and the act so drawn as to permit reasonable doubt as to its meaning in many cases, what shall we say of that which is usually referred to as the general pure food law? The part of section 2 of the act referred to is as follows:

The term "food" as used herein shall include all articles used for food or drink by man, whether simple, mixed or compound.

This is another catchall expression; but as the term "food" is generally accepted to mean that which, taken into the body builds tissue or yields energy or strength, and, as nature has provided but one way to get food into the body, this phase of the question is more simple than the application of the drug statute, but is still complex because the articles and parts of articles used in food are in such variety and diversity of forms and peculiarity of preparation that the list of food stuffs and methods of preparation can be as wide as the human family and limited only to the inventive ingenuity of man.

Thus the definition of adulteration naturally takes on a wide range and is designed to cover a



variety of preparations. Then, too the proportion of food consumed by the average man when compared with the volume of medicine used is largely in favor of the food, though when we want medicine we want it like the fellow who wanted a drink in a prohibition town. He had looked far and wide for a place to satisfy his thirst; he finally found one and in reply to the query, "Do you want it bad?" replied, "No, thunderation! I want it good; the best you have."

When we consider the immense volume of filth, foam and fire that is annually poured down the throats of the American people in the form of drink, we begin to understand the value and necessity for "pure food" laws.

I take up this section of the law and discuss the paragraphs, separately, in their consecutive order, because of their greater number and length.

Section 3. An article shall be deemed to be adulterated within the meaning of this act:

(b) In the case of food: (1) If any substance or substances have been mixed with it, so as to lower or depreciate or injuriously affect its quality, strength or purity.

The wisdom of this requirement has, so far as I know, never been seriously questioned; it is so fair that it usually passes without serious contradiction and so ingeniously drawn as to apply to food in nearly any form, whether solid, liquid or "betwixt or between."

The great trouble comes in making the application. For instance, every summer I receive a great many complaints about the sale of ice cream, Hokey-Pokey, soda water and other summer foods and beverages. Ice cream is a well-known, useful, wholesome and justly popular food and sells in a wholesale way from 50 cents to \$2.00 per gallon. It is a common article of commerce and of general use and much value commercially, yet I have been unable to fix the application of this law to the usual adulteration of this article, although, manifestly, it should fit like a glove.

It is a matter of common and general knowledge that it is almost impossible to get absolutely pure ice cream, except when you make it yourself. The stuff you buy usually has a skimmed milk base with a starch filler in it to give weight, bulk and firmness and a quantity of gelatin, glucose or some other paste to give it a smooth, uniform texture so much desired. When you add to this a yellow artificial coloring matter and the mysterious dope called, by courtesy, a "flavor," you have something that a hungry hog would leave in disgust, yet there are tons of it sold, especially in the poorer quarters and by peddlers in every city in the United States.

The pure food laws, as now drawn, seem powerless to stop the practice, because prosecution is immediately confronted with the assertion that there is no generally adopted standard for ice cream, and we have learned by experience that

there is a certain class of so-called experts who can be hired to testify to anything if the fee is sufficiently large.

(3) If any inferior or cheaper substance or substances have been substituted wholly or in part for it.

This is an amplified form of substantially the same question and might apply in some cases better than the preceding. It would seem to apply very forcibly to the starch in the case just cited.

(4) If any valuable or necessary constituent or ingredient has been wholly or in part abstracted from it.

The value of this paragraph is apparent to the most casual observer and its usefulness as a wise provision in law is generally accepted. Ever since the Israelites were condemned to make "bricks without straw" there has never been a time some one has not been trying to sell something that is not what it seems, and it is a common complaint now that many staple food products have had a part of their valuable constituents removed before offering for sale. I have seen coffee without caffeine; tea without theine; cheese without butter fat that was so dry as to render mastication difficult, if not impossible, yet some people wonder why our cheese trade is falling off so rapidly and the Canadians are taking our trade. The answer is plain, simple and undeniably true; they are making better cheese, and unless the cheese-makers of this country awake to the importance of this question, we will find our cheese business completely ruined. (I am glad to notice some brilliant exceptions in this practice and politely lift my hat to the states of New York, Minnesota and Wisconsin.)

Useful as this paragraph may seem, it must be handled with care by the department or it is capable of much damage. For instance, under this part of the act you can arrest every miller, grocer and flour dealer in the country, as every scientific man of whom I have any knowledge agrees that the most "valuable and necessary constituents" in flour are taken out in milling wheat and making what is generally accepted as white wheat flour. It is at this point that Nature and commerce combine to do something for us that we should do for ourselves. Commerce sells the "valuable constituents" (the bran) for cow food, and Bossie, through those natural functions of which she is mistress, hands them back to us in the shape of rich milk and cream and elegantly flavored butter; and when she outlives her usefulness in this respect she completes the job by going to the stock yards to furnish leather, glue and oleomargarine to the restless and hungry public.

(4) If it is an imitation of, or is sold under the name of another article.

But little fault will be found with this paragraph. It deals solely with the question of deceit, though there is a large element in our country

that likes to be humbugged into eating "bob veal" for chicken. There are some who are hard-headed enough to believe in the good old American axiom that "every tub should stand on its own bottom," and the practice of selling glucose for honey has received some discouragement, although the practice of selling glucose for syrups and fine molasses is still rampant, and, in my opinion, is ripe for legal investigation and litigation.

(5) If it consists wholly, or in part, of a diseased, decomposed, putrid, infected, tainted or rotten animal or vegetable substance or article, whether manufactured or not—or, in the case of milk, if it is the produce of a diseased animal.

This sounds so eminently fair that you will doubtless be surprised to learn that only a short time ago we found some meat dealers depraved enough to sell as "No. 2 meat" tainted and rotten animal meats in the state of Ohio. It was a still greater surprise to me that people could be found who could or would eat such dangerous stuff.

Repulsive as this may seem, I doubt if it is any worse than the practice of selling and using renovated butter, as I would rather take chances in brushing off the skippers or eating them boiled with my meat than to make a steady diet of renovated butter, which is, I believe, the filthiest food substance known. We turn up our noses at the Chinaman who eats rats, eggs that are several years old, and the gastronomic delicacy known as bird's-nest soup, yet I believe that this modern invention is worse than all three combined. Yet we have no law in Ohio that will stop the sale of this stuff.

(6) If it is colored, coated, polished or powdered, whereby damage or inferiority is concealed, or if by any means it is made to appear better or of greater value than it really is.

Here is the paragraph that has been litigated more thoroughly in Ohio than all the rest of this law combined. A few years ago we found on sale in Ohio a great quantity of granulated sugar that had been highly colored with chemicals known as Prussian blue. It was shown in court that the coloring material was worth about \$2.00 per pound and the sugar in which it was used sold at retail for about 5 cents per pound. This was a hard proposition until we found what small quantities of the coloring were used and the great advantage it gave the sugar in selling for more money than it would otherwise bring. It took a long, hard fight, but it settled the sugar question.

Those of you who attended the Milwaukee meeting will remember that a great deal of time was spent in trying to unify the rulings of the various departments. As a result of the many discussions on the coffee question at that meeting our department began (after sixty days' notice) a case to test the right of dealers to sell a coffee that was admittedly "colored, coated and polished," but the

defense vehemently denied that "it was made to appear better and of greater value than it really was." The jury disagreed in this case, not with themselves, but with the defendant, and the case is now pending on appeal in the upper courts. Whether the defendant will be able to crawl out under the question of error remains to be seen; if he don't, it will not be for want of effort, as about 800 exceptions in five different bills have been filed.

Before our first case was filed a New York firm sought to restrain the department by securing an injunction, but the U. S. Circuit Court refused the request, and, in passing on the question, laid down a ruling that has been of much value to the department.

Whether these particular cases go through the long lane of litigation unscathed or not, the standard of quality of package coffee has already been raised in our state to a degree that is no less surprising than gratifying.

(7) If it contains any added substance or ingredient which is poisonous or injurious to health; provided, that the provisions of this act shall not apply to mixtures or compounds recognized as ordinary articles or ingredients of articles of food, if each and every package sold or offered for sale be distinctly labeled as mixtures or compounds, with the name and per cent of each ingredient therein, and are not injurious to health.

You will observe that this prohibits the use of articles that are injurious to health and makes pounds that have been thoroughly discussed and litigated in the coffee case just referred to.

It is amazing to what extent an unscrupulous lawyer can distort and pervert the King's English and to listen to some of their senseless harangues one would almost believe that the legislature had nothing else in view when enacting this proviso but to nullify the entire law, so far as their particular product was concerned, and that the exception was made to encourage sharp business practice against the people of the state and promote a system of deceit against the public that could and would only result in a larger profit to the vendor.

I have refused to believe that the laws were enacted exclusively for the benefit of one class of citizens, but have felt that in construing these regulations it should be borne in mind that the consumers have some rights that are entitled to respect, even if they are not represented by some high-priced, over-fed windbags, self-constituted guardians (for a consideration) of every fraud in the world.

It is never easy to decide or prove what is, or is not, injurious to health (for the reason that what one may eat with impunity often disagrees with his neighbor and sometimes with the members of his own family), or what could or should not be



permitted or forbidden. The natural difficulties and differences as to form, condition and quality, time and season are enough to contend with and when you add the weight (metaphorically) of testimony offered by so-called experts, some of whom pride themselves on their reputation and ability, yet unblushingly admit that they appear as a paid witness to advocate the side of the case paying the largest fees, it seems as though Justice had good cause to hide her eyes and Science turn her head in shame.

You will observe that the foregoing has to do exclusively with legal standards. I deal with this phase of the question principally, because I believe it to be of first importance. If our legislation is in the shape desired and available for the proper operation, the other questions as to standards will be comparatively easy to handle.

The commissioners, themselves, with the right kind of legislation as a basis, can easily agree on what should be adopted as to detail by the department, and the department chemists could, and no doubt would, speedily agree upon a basis of computation and calculation that would meet the requirements of Justice to the department and the public that would not be unreasonable or harsh to the producer and dealer.

PRESIDENT JONES: Gentlemen of the convention, the discussion of Commissioner Blackburn's paper will now be opened by Hon. John M. Hamilton of Pennsylvania.

MR. HAMILTON: Mr. President and gentlemen, I would like to say before reading my paper, that Mr. Blackburn and I have had no communication on this subject since the time that the topic was assigned, and I only saw Mr. Blackburn's paper this morning, so anything in this that seems irrelevant you will understand was due to the fact, that I did not know exactly what line of argument Commissioner Blackburn intended to present.

#### NECESSITY FOR STANDARDS RELATIVE TO FOOD PRODUCTS.

By Hon. John Hamilton, Secretary of Agriculture of Pennsylvania.

By standard is meant "some measure fixed by law or usage." The necessity for standards, for money, weights and measure is recognized. There can be no business dealing among citizens in civilized life without them.

Governments accordingly have taken up these subjects and have fixed by legislation the exact amount which each of these items must contain, and now in every country a bushel of wheat, a gold dollar, an acre of land, a mile of road, each expresses a definite fixed amount.

Until comparatively recently governments have been content to measure food by the quart, the pound or the piece. The time has now come when

foods need to be measured by their composition, as to strength, purity and effect upon health.

The time has come when a quart of vinegar, a gallon of milk, a pound of chocolate, an ounce of butter, a piece of cheese, or a barrel of flour must mean some definite amount or percentage of the constituents that give these substances their characteristic food value. This necessity is due to the fact that in the competition in trade which exists in all food products, unscrupulous manufacturers and dealers are placing inferior goods upon the markets without notice of their adulteration, to the great injury of the public, both as respects pocket and health.

The pure food laws of most of the states do not accurately define what shall constitute the "standard" in a food, and consequently offenders set up the defence that inasmuch as no standards are fixed by statute therefore they cannot be held to any definite composition in their preparation of any article of food and may sell, as pure, any food that is not injurious to the public health, no matter how low in percentage its food constituents may be. This lack of standard places the burden of proof in prosecutions for violation of the law upon the officer who is appointed to enforce the law, and each case has to be proven up by expert testimony as if no other had ever before been tried. The uncertainty of conviction, due to these conditions, weakens the law and encourages its violators to continue their transgressions.

If standards for each article were fixed, the work of the discovering of fraud in food and conviction of the offender, would simply be a question of analysis and comparison of the sample with the standard set by law. Manufacturers, dealers and food inspectors would all be equally and fully informed, as to the precise requirements in the composition of all articles of food, and much unnecessary and costly litigation be thereby avoided.

The question then arises, What should these standards be? What should they require?

1st. They should require that any article to be standard as a food must be true to name.

2d. That a food, to be standard, must be pure and wholesome.

3d. Foods made from damaged or defective products cannot be standard.

4th. Foods made from the lower grades, after the best has been abstracted, cannot be standard.

5th. Foods mixed in their manufacture with other articles, not necessary, cannot be standard.

6th. Foods which contain little or none of the substance or substances after which they are named cannot be standard.

7th. Foods which contain any poisonous substance or substances injurious to health cannot be standard.

8th. Foods, the digestibility of which is made difficult, through the use of preservatives, cannot be standard.

A standard food must be true to name, made from wholesome material of good grade, and of the full strength of the natural substance; be free from injurious preservatives and contain no admixture of other substances not necessary in its manufacture.

The difficulty, in fixing standards, arises from the fact, that natural foods vary in their composition according to their variety, the soil and conditions under which they are grown, or the breed of animals from which produced.

Wheat, corn, oats, rye, potatoes, apples, milk, butter, eggs, vegetables, are not constant in their composition, and accordingly vary in food value. How shall standards for such articles be established?

It is manifest that no maximum or average fixed chemical composition can be required in the case of these natural products, and the establishing of a minimum, is of very doubtful propriety. The utmost that can be demanded is, that each shall be true to name, pure of its kind and of good grade.

In compounded or mixed foods the case is different. Here it is possible to compound the article so as to conform to a given standard, and where this is possible a standard should be fixed. Flavoring extracts, jellies, jams, marmalades, vinegar, fruit butter, fruit juices, cream, skim milk, meat extracts, cocoa, etc., are all of this class of foods, and for them a standard should be made. Who shall do this work? Some of it is already done. The U. S. Pharmacopoeia has set the standard for certain extracts, and the Association of Official Agricultural Chemists can, and ought, to do the same for other foods. If this is done, whenever a state wishes to enact a law fixing the standard of any food product, these two authorities will furnish the data for their guidance, and the laws fixing standards will eventually become uniform throughout the country.

In the meantime the food commissioners of the several states will have to do the best they can. Meet and confer with one another; with their chemists and attorneys, together with manufacturers and dealers in food products; make a record of the items upon which they agree, and hold others, that are in doubt, over for future action. Publish the results from time to time, and distribute the publications for the information of all who are interested in securing pure food, for the citizens of this country.

Gradually, through all of these means, proper standards and regulations will be discovered and adopted, until at length, the uniformity so much desired will be secured.

PRESIDENT JONES: We have down for further discussion of Commissioner Blackburn's paper. Hon. B. P. Norton, commissioner of Iowa. Mr. Secretary, have you heard from him?

SECRETARY NOBLE: No, Mr. President, I have heard nothing from Mr. Norton.

PRESIDENT JONES: I presume then, if there has nothing been heard from Mr. Norton, we will pass that matter. I would like to, and I think the association would like to hear from any other commissioner or member of this association that might have anything to say on this matter. We have little time on account of Mr. Norton not being here, if there is any one that wishes to say anything on the subject.

MR. HAMILTON: Mr. President, yesterday we fixed an order of business for 11 o'clock, to hear some gentlemen who were coming from my state. I do not know that they are here; I have had no word from them; if we would suspend the discussion until the order of the day is taken up and ascertain whether they are here or not, it would conform to our action of yesterday.

PRESIDENT JONES: I presume that that will take precedence. Will you ascertain, Mr. Hamilton—I believe they are from your state—and report to us if they are present?

MR. HAMILTON: I will be glad to.

PRESIDENT JONES: While Mr. Hamilton is gone I want to welcome Mr. Grosvenor of Michigan, and introduce him to the new members.

MR. WHITAKER: While we are waiting there is a matter I would like to bring up for the consideration of the commissioners. I notice in the morning papers that the National Household Economic Association is in session in this city at this time. It is an association that is very much interested in the matter of food, and Professor Atwater was one of the speakers yesterday. They have a program which occupies the whole of the day to-day and I wish to offer this resolution:

"Whereas, The National Household Economic Association and the National Association of State Dairy and Food Departments happen to be in session in this city at the same time; and

"Whereas, Both associations are emphatically interested in pure food;

"Resolved, That the National Association of State Dairy and Food Departments send a word of good cheer and best wishes to the National Household Economic Association, with an offer of hearty and friendly co-operation wherever our lines of work coincide."

I move the adoption of these resolutions.

MR. COPE: I second the motion.

PRESIDENT JONES: Gentlemen, I think this resolution is very appropriate. As stated by Mr. Whitaker, it is a work along the same lines as ours and I would like to see this unanimously adopted.

The resolution was thereupon unanimously adopted.



PRESIDENT JONES: Are there any further matters that might properly come up at this time?

SECRETARY NOBLE: I would just like to say in speaking of the question of standards, that I consider that is one of the important features which we have to deal with in our laws. Now in the paper read by Mr. Hamilton in regard to the setting of standards, that they could be fixed by the Association of Chemists, I would like to ask if that would hold in law? Would there be any trouble about that?

MR. BLACKBURN: In my opinion, if you want me to answer your question, in my opinion it would not be any conclusion of law. It would simply be a basis of prosecution for the department, and if the jury found the man guilty, after comparison with the article sold, the charge could be established as deliberate compared with the standards of those authorities. If the jury have to accept this standard then it would hold in law, but not otherwise. It is simply a question of fact for the juries. That is my opinion of the law without further consideration. It is a good basis to start on, a good foundation to build on.

SECRETARY NOBLE: That is what I should think; I should not have an idea it would hold in law. Now with some of the laws in our state the standard is fixed. Now you take it in molasses, there has been a good deal of call in the last two or three years, from wholesale dealers especially, that there should be a standard fixed for that. There is a standard the state fixes. The standard of molasses measured by a certain percentage of saccharine pays one duty and a higher percentage pays a higher duty, but we haven't any standard. It is a well-known fact that a great deal of the saccharine matter is taken out of molasses by the centrifugal process, so that a great deal of the molasses on the market is of very low quality, very much lower than it used to be, but the state has not fixed any standard as yet, while they do for vinegar and other things.

MR. BLACKBURN: Mr. President, I am in hopes this question will be thoroughly discussed and some definite action recommended by this association before it adjourns, for I am ashamed to say, but it is the fact nevertheless, that we have found molasses and syrups on sale in the state of Ohio which were from 80 to 90 per cent of adulteration, 80 to 90 per cent glucose. Just think of it a moment, under some such name as "Golden Drip," or such fancy title.

PRESIDENT JONES: I will say, if it will be of any benefit to you, that we can go you 5 per cent better in Illinois.

MR. BLACKBURN: That doesn't help the matter very much, but I think that is one of the most pressing questions for action before this

association. That is why I referred to it in my paper. Since the association has been formed I have hesitated to take action on any important case like this without first bringing it up before the meeting. Now, last year we had a dozen important questions, and the interchange of ideas and opinions and sentiment on this question has been of untold value to me. The fact that the coffee question was raised in Milwaukee and discussed so thoroughly, and the position that was taken at that time has been of immense advantage to me, personally and officially, in carrying on this long, hard, tedious litigation we have had.

PRESIDENT JONES: In your experience, how far could you go in this work of fixing standards?

MR. BLACKBURN: I don't think we can fix a standard at all. I don't think we have any authority to fix a standard. We can simply get together and agree on what ought to be done, what should be a standard, and then every individual commissioner work out his own salvation.

PRESIDENT JONES: Perhaps I didn't state my question intelligently. How far can the law go, do you think, to be upheld?

MR. BLACKBURN: That depends altogether on the courts. We are very fortunate in Ohio. We have a supreme court consisting of six judges that are simply men of the people. They take the people's side on every one of these questions that our department has ever brought before that body, and I am pleased to say we have never had a question before them involving the question of the protection of the producer and consumer, that that court has not vigorously, radically and unanimously sustained the department.

Now, in Ohio I feel that we could go to any reasonable length and be sustained by our supreme court. In Illinois it is a question of the personnel of the judges. You may have a court made up of gentlemen who have never studied or familiarized themselves with these questions, and whose previous environments as attorneys for these great corporations may have fixed the wrong impression in their minds, yet when they come to write out their opinions, they write out their impression, so that that depends altogether, in my opinion, on the personnel of the court. In Ohio, as I say, we have a magnificent court for the consideration of all of these questions affecting the people. Some states are not so fortunate.

MR. EATON of Connecticut: Regarding the standards which we have adopted in Connecticut, we have never had any trouble wherever there has been any standard adopted. Now, in relation to the vinegar law, there have been a great many times we have had opposition, but

we have always won out and the department has been sustained by the court whenever any standard has been adopted. Now, in this molasses law we have a special law for the sale of molasses in Connecticut and it goes on and says: "Any person who shall adulterate any molasses, or who shall sell, or offer or expose for sale, or who shall solicit or receive any order for the sale or delivery within this state, or for delivery without this state for shipment into this state, of any molasses adulterated with salts of tin, terra alba, glucose, dextrose, starch sugar, corn syrup, or other preparation of or from starch, shall be fined not more than \$500 or imprisoned not more than one year or both." We do not have any difficulty in enforcing the law along these lines of adulteration, and we are very successful over in Connecticut, nearly always being sustained; and I do not think there has been any question raised, that any chemist has come in there and tried to dispute the analysis of the chemist from the Connecticut Agricultural Experiment Station where we have these products analyzed, but the chemists say to me, Doctor Jenkins, whom I suppose many of you have heard of, and Doctor Winton, that they are finding molasses that is very weak, what they call weak molasses, and the difficulty is along that line now in adopting a standard. I should like to inquire if any state has adopted a standard along the line of molasses, or only have the same general law applying to molasses as we have here, specifying what it cannot be adulterated with?

PRESIDENT JONES: Let me ask you a question: Does your law allow the blending or compounding of glucose and cane?

MR. EATON of Connecticut: No, sir; it cannot be adulterated with any of these articles in our state, glucose or anything for blending purposes.

MR. BLACKBURN: I was going to ask for an expression from Mr. Grosvenor, the former dairy and food commissioner of Michigan. I think they have a syrup law in that state.

PRESIDENT JONES: Mr. Grosvenor, we will be pleased to hear from you.

MR. GROSVENOR: The law he refers to in Michigan is a section of the Michigan General Food Law, relating to syrups and molasses when mixed with glucose; it perhaps would not be applicable in this discussion to hear it, but someone asked a minute ago what state, if any, had ever attempted to set a standard for molasses. I have lately had occasion to look the matter up, and I believe only the state of Louisiana has ever attempted to set a standard for molasses, and it is really very bungling to me. It does not set any standard. It seems to me the prohibition of glucose or other foreign substance is really setting a standard. It seems to me that this asso-

ciation might best consider the word "standard" when it undertook to shut out, and not to shut out foreign substances, but to state the exact proportion or percentage in which the product itself should be found, to be sold under that name, and something was said a minute ago about the validity of standards when incorporated in the law by the legislature. There have been a good many attempts to break down the arbitrary standards established by the law in vinegar, and they have always failed. The same is true in milk, and Commissioner Whitaker of Massachusetts could tell us a great deal about that, because Massachusetts had particularly lacked in decisions on milk questions. But, Mr. President, one thing came up in Michigan two or three years ago to show how fruitless is the ordinary law when applied to molasses with reference to its mixture with glucose. Glucose costs more than cheap molasses. Now, in the absence of any specific statute, can you prosecute for the mixture of a low grade molasses, selling for, say three cents, because of the mixture with it of a glucose selling for twelve? I would like to ask under what section of the general food law I am speaking now, in all the states? Under what section of your six or seven subdivisions of your general food law are you going to prosecute a man for mixing gold with tin? That is the proposition unless you have a specific statute. I know of a case of that kind in Michigan. After being discussed thoroughly by the state legal officers of Michigan it was held unwise to attempt a prosecution, because the man had mixed with a low grade molasses a very nice grade of glucose. Of course he had elevated his low grade molasses and made it sell for a very much better grade than it did originally, but in doing it he had used a higher priced product. The question is, can you prosecute in such a case?

MR. SHERWOOD: I am very much interested in this line of discussion for the reason that we are simply starting with the enforcement—practically have not enforced anything, but are simply laying a foundation for the enforcement of our law, and the wholesale people want to know what we are going to allow in the line of syrups. We have nothing more than the general law that all the states have, and those standards for syrup. The question the wholesale people wish to know is, can they use a glucose syrup? There is probably not to exceed five per cent of the syrup sold in the state that is anything but glucose syrup. There is practically no cane syrup sold there so far as I can find. The basis of all of them is glucose, they admit, and the question is very important with us to know whether we shall continue to allow them to use glucose, or must we have cane syrup.

MR. BAILEY: Out in Oregon, all I have seen



sold, is marked "sixty per cent glucose and forty per cent cane sugar." Under our law it must be marked to establish its true character. I do not think we can interfere with its selling if it is plainly marked. That is all there is to it.

MR. EATON of Connecticut: I would like to ask the commissioner from Massachusetts in relation to the Massachusetts law regarding syrups, "golden drips," and along that line? You prosecute anybody selling it under the name "golden drip," or something of that kind.

MR. WHITAKER: I am not familiar with that Massachusetts question. I would say that comes under the Board of Health and I have nothing to do with it. I think they very often have prosecutions in the state for adulteration with salts of tin and such things.

MR. EATON of Connecticut: The same as we have?

MR. WHITAKER: Yes, but my impression is there is no absolute standard, and no prosecutions for simply being under standard.

MR. EATON of Connecticut: Ex-Governor Dewell, who is one of the best authorities on molasses in the state, and one of the best in the New England states, had a little difficulty a short time ago in Springfield and it worried him considerably. He wanted to draw a sample of molasses in Springfield and he had a little difficulty over it, and I went over to accommodate him. He had been very influential in assisting the department, was always foremost in assisting, in every way he could, the dairy commissioner, especially along the line of the molasses law, and one day up there a couple of samples of the molasses were drawn and the chemist found it up to standard; it was not adulterated at all, and in that state, Massachusetts, ex-Governor Dewell threatened the party with prosecution, although later it was dropped.

MR. WHITAKER: I couldn't answer about that, but suppose a chemist takes the witness stand and testifies he has been a chemist for a dozen years; that during that time he has made many examinations of the article in question and is thoroughly familiar with the average qualities, and that the sample in the case in hand has less saccharine matter than any molasses he ever come across in his experience before. How far would that go in insuring a conviction even if there was no statute standard?

MR. BLACKBURN: I am inclined to think that question, Mr. Whitaker, in our state, would turn altogether on whether or not any foreign substance had been added to it, or mixed with this syrup. If it was shown to be pure syrup, and only inferior quality, I don't see how, under our general law, you could expect to secure a conviction unless something has been added to it which renders it injurious to health. If it is

simply an inferior grade of molasses a fellow with that kind of taste would have to stand it; if it suited him he could buy it; if it didn't he needn't buy it. But if there had been anything added to change the nature in any way, then you could proceed under the Adulteration Act.

PRESIDENT JONES: Some of the commissioners, and I know I for one, would like to know what is your experience as to whether glucose is unhealthy or not, whether it is injurious to health?

MR. BLACKBURN: Glucose, like every other new substance, when it was new, was subjected to a great deal of criticism and a great deal of suspicion and a great deal of slander. Personally my observation and experience has been that glucose is very healthful. It is easily digested, and no more indigestible than barley or corn, provided it is a good, pure glucose. I don't mean glucose containing sulphuric acid or anything of that kind. So far as its being healthful is concerned, I don't think there is any room for criticism. It is much more healthful than many things we eat. It is a good deal like water in whisky, but I object to it in my whisky unless I put it in myself.

PRESIDENT JONES: Gentlemen, with your permission, I would like to state that we have had considerable experience with this question in Illinois. Illinois, as stated by Mr. Blackburn in his address, is one of the large glucose manufacturing states, and it is indigenous to the soil; in other words, we raise corn out in Illinois. We don't raise much cane, and as a new commissioner I started in like a good many other zealous commissioners to fight glucose, and I ran up against the real thing, and I have studied the question, and where they are putting a label on it to show it is glucose and cane syrup or whatever it is that is put in, we are allowing it to be sold. I am interested in this discussion because I want to know whether I am right or whether I am wrong. The question we are trying to get at here is what is proper for my people.

MR. EATON of Connecticut: In the way of information I might say to you that two years ago in our Connecticut Legislature this matter was up in regard to the healthfulness of glucose. It came up in this way: There were parties that wanted a pure beer bill passed, and those parties who wanted the bill passed were trying to show that certain brewers in the state were using glucose quite extensively in the manufacture of their beer. These brewers brought on the stand very eminent chemists, such as Doctor Jenkins of the Connecticut Agricultural Experiment Station, Dr. Wolf of Hartford and some chemists of New York City, and they all admitted upon the stand that glucose was a healthy product, although we always considered it in Connecticut,

and tried to make people think that it was very unhealthy, particularly along the lines of our prosecutions in molasses cases, but they all admitted, these eminent chemists, that glucose was perfectly healthy and the pure beer bill was turned down.

MR. BLACKBURN: I would like to continue my answer, or rather make a slight addition to it. There is no objection to glucose when it is made and sold for and as glucose.

PRESIDENT JONES: I understood Mr. Eaton to say in Connecticut there was.

MR. BLACKBURN: Yes, there is in some states a great deal of prejudice against it.

MR. EATON of Connecticut: We tried to work up a prejudice against it but they admitted it was perfectly healthy.

MR. BLACKBURN: The objection to glucose, as I understand it, is not because it is glucose, but because it is sold for something of greater value, because it is used to deceive, because it is used to cheat. If people want to mix glucose in their honey and eat it that way I have no objection. The law of Ohio will not interfere if there is no deception about it, but where they label a substance "Pure Strained Honey" when as a matter of fact it contains only fifty per cent of honey, that is undoubtedly a cheat and a fraud; but if they put plainly on the label so that any person who can see can read it, "This package contains 50 per cent glucose and 50 per cent honey," any person can go and buy that and eat it and the law of Ohio won't interfere. On the whisky question, so far as the whisky itself is concerned we have a standard in Ohio.

MR. BAILEY: Any for water?

MR. BLACKBURN: Yes, for water, too, and the defense has often been put on "Why, this whisky contains nothing more injurious than water. Don't you use water?" "Yes, but when I go to you and pay you fifty cents to seventy-five cents a pint for whisky I object to your selling me water, not because the whisky is diluted, but because it is a fraud, it is a deceit. If I want that water in there I will put it in myself. I don't need to pay you seventy-five cents a pint for it." That is where the fraud comes in.

MR. HAMILTON: In Pennsylvania we have undertaken, as some of you know, to get up a schedule of standards. We already have standards for cheese and some other substances fixed by special laws. Under the head of "Saccharine Products" we have given them definitions and standards:

"Molasses is that part of the cane juice, or sugar solution, that is left upon the removal of part of the sugar. It must contain no added substance.

"Syrup is the purified or evaporated juice of

the cane or maple sap, insufficiently evaporated to cause crystallization of the sugar. It must contain no added substance.

"Glucose is the solid, sweet, purified substance obtained by the action of acid on starch. It must be free from intermediate products.

"Glucose syrup is syrup obtained by the action of acid on starch.

"Honey is the nectar of flowers and saccharine exudations of plants, gathered by bees. Honey made by feeding bees sugar, glucose, syrup or other saccharine substances, is not considered pure honey. The mixing of sugar, syrup, glucose or other similar substances with honey, is considered an adulteration."

In our state we have nothing but the pure food law under which to act, with regard to syrup. If a manufacturer will brand his package "Compound" we permit him to mix cane syrup and glucose together, and sell it.

PRESIDENT JONES: Do you require them to put in the percentage?

MR. HAMILTON: No percentage; we simply require them to mark it "compound."

MR. ALLEN: The Kentucky law on that subject is similar to that of Pennsylvania and the manufacturers are beginning to comply with it. The requirement is that they state on the can that it contains glucose. We regard in Kentucky that glucose is a healthful product and it is only used in some cases to cheapen, and perhaps in some instances not, but we think it right that the customer should know that he is getting glucose or something mixed with glucose, so we only require that they state on the can that it contains glucose.

MR. DOOLITTLE: I do not think there is any question at the present time among chemists but what glucose is perfectly healthful. I think the prejudice against it originated from the first manufacture of glucose, when there was quite a percentage of sulphuric acid found in it, or sulphate, and I think it was from that that the present prejudice arose against the use of glucose, but at the present time there is no question, I think, but what glucose is perfectly healthful. And in regard to the beer question that Mr. Eaton spoke of, perhaps you all remember that about a year ago in England there was some beer found there that contained arsenic, and it was traced back to the source and they found that the beer was made from glucose and that the arsenic came from the glucose, but it was found to be a low grade of glucose.

MR. BAILEY: I had some jellies analyzed that were put up in the West and advertised as strawberry jelly, and the chemist reported that he found large quantities of sulphuric acid, sulphates, and I had a letter from the manufacturers in which they said there was nothing in it except what came from glucose. Now, if



those sulphates came from glucose and they were unhealthy, wouldn't the glucose itself be unhealthy which contained those sulphates?

MR. DOOLITTLE: I think it would be found that sulphuric acid was used in the manufacture of the jellies. I don't think that came from glucose at all.

MR. BAILEY: The chemist stated that he found it in the jellies.

MR. BLACKBURN: I would like to distinctly state that my remarks as to the healthfulness of glucose refer only to the pure glucose and not to any inferior or poor article. And while I am on my feet I would like to ask Mr. Hamilton if he has an extra copy of his rulings, to submit them to this meeting, because I think he has some of the best definitions as to adulterations in his little pamphlet on rulings that I have read anywhere, and they are worthy the study and consideration and emulation of the members of this association.

MR. HAMILTON: I will see that they get copies of them.

PRESIDENT JONES: I will just say to the association that we have a Committee on Rules, and as I recollect it, Mr. Blackburn is chairman of the committee. Now the commissioners that have laws and rulings, I would esteem it a favor and know Mr. Blackburn would if they would pass over their laws and rulings on them so that they might have them, that the committee might have them. As Mr. Blackburn informed me yesterday, the committee is a little incomplete just now. One of the members has ceased to be a member and the other is not here. Mr. Blackburn, I believe, is the only one that is present.

MR. BLACKBURN: Mr. Hamilton was put on it yesterday by vote of the association. Mr. Cope is here, too, and I presume he could act until his successor comes.

PRESIDENT JONES: I would like very much to have him do so, if it is the wish of the association.

MR. WHITAKER: If the molasses question has been discussed as much as the members desire, there is one point in the paper of Mr. Hamilton to which I wish to allude, and I do so with a good deal of hesitancy for I look up to him as a man of authority and a man whose ideas I have great respect for; but in speaking of a number of articles, natural products whose composition varies, alluding to milk as one, he says the establishing of a legal standard is of very doubtful propriety. Now, in our state we have a standard for milk and it does seem to me that it is a good thing. Milk is an article of such peculiar composition, in such very general use and of such wide variation in quality, even when pure, that the interests of the consumers and the interests of the better class of producers seem to demand a reasonable standard,

even if milk below standard may be of unquestioned purity. In the next sentence Mr. Hamilton says "the utmost that can be demanded is that each shall be true to name, pure of its kind and of good grade." Now that clause "and of good grade" may possibly allow of a standard for milk, although in the preceding sentence he says "the establishing of a minimum is of very doubtful propriety." A good many years' experience in my state makes me of the opinion that a standard for milk reasonably enforced is in the interests of the community generally.

MR. HAMILTON: Mr. President, I do not know that it is necessary to say anything in regard to it, excepting this: Mr. Whitaker knows that milk varies very much in its composition, depending on the breed of the animals from which it comes. The effect of a minimum standard would reduce the standard of those better grades. A perfectly innocent dairyman might be arrested and punished, because his milk did not reach a certain standard due to the character of his herd, whereas if no standard is established, chemists can determine whether the milk has been adulterated; whether any of the fat has been abstracted. To provide a minimum standard means the reduction of a large part of the output to that standard. We have standards in our cities, and they endeavor to enforce them. In the state at large we have no standard, and yet under the pure food law we hold men up to having the milk pure, free from adulteration or from the abstraction of any butter fat.

MR. WHITAKER: My experience is that with the discretion that is allowed courts and prosecuting officers in the matter of putting cases on file and in the matter of sending out warnings rather than prosecuting, and all that, no hardship is done to any person who is known to be a good honest person, and unquestionably has been unfortunate in having cows that produce milk below the average quality. We send such persons notices and they can make changes in their herds and bring their milk up to the standard quality if they care to. We do not find it so easy to prove adulteration as the gentleman intimates that he does. A slight adulteration makes such a slight change in the normal composition of milk that a great many chemists feel a little bit modest about swearing positively that the milk has been adulterated. If there was a large adulteration, say of 25 to 30 per cent, of course that would reduce the solids and not fat to such an extent that the chemist feels sure there is adulteration. But we think, in our state, that a standard of 12 to 13 per cent reasonably enforced keeps up the average quality of milk in our cities and large towns and is of decided interest to both the consumer and the bet-

ter class of producers. I know there are certain animals and certain breeds that produce milk that will be as low as ten per cent, but what is the difference to the consumer between good milk that has been artificially lowered and milk that is naturally weak. He is furnished less than the average amount of food that there is in milk and pays the regular price.

PRESIDENT JONES: Is there any further discussion upon the paper? If not we will pass on to the next.

MR. HAMILTON: Mr. President, I find we have a gentleman here from Pennsylvania who, perhaps, might be heard at this time with regard to food products. A question has arisen in our state in regard to Rule 12, which is as follows:

"Articles of food that can be prepared by the use of improved processes, so as to preserve them from decay or change, shall have no preservative added other than salt, syrup, sugar, saltpetre, spice, vinegar or wood smoke."

Some catsup people, from Philadelphia, sent for me some time ago, to meet them with regard to this rule. They declared, positively, that it is impracticable for them to prepare catsup without the use of some artificial preservative.

The gentlemen to whom I refer represents the Heinz people of Pittsburg, and I would be very glad for him to have the opportunity of showing what they are doing on this disputed question, as to the possibility of making catsups without the use of artificial preservatives. Mr. Evans of Pittsburg, representing the Heinz people.

Mr. R. G. Evans then addressed the convention on the subject above mentioned.

MR. ALLEN: I would like to hear from some of the commissioners on the subject of labels. There is one thing we find in Kentucky and that is the manufacturers will admit to the food department that they use antiseptics, discuss the subject with us and argue that the antiseptic is harmless when used in the food in small quantities, but they dread the publicity of so labeling their goods that the consumer may know that the article contains an antiseptic. Antiseptics used in minute quantities have little or no immediate effect upon the system. This fact is axiomatic of all drugs, but it does not defend the reckless use of antiseptics, nor does it furnish sufficient reasons why the public should not be made aware of their use by a plain label or statement of the fact upon the bottle or package. The gentleman tells us that a large quantity of the stock already prepared for the season's demand contains an antiseptic and asks the commissioners what their policy will be toward these goods. I would like to hear if there is an objection to having the manufacturers,

when they put out this new crop, state on the bottle that it contains antiseptic, and, if it does, what antiseptic is used, and then enforce the law so as to cause a uniform labeling of these goods. I can state to the gentleman that such is the law of Kentucky and all goods coming into the state which contain antiseptics must be so labeled.

This is an important subject and in passing judgment upon it we should take into consideration the honest interests of the manufacturer on the one side and the rights of the consumer on the other. However, if the interests are honest and the rights just in their demands they should not conflict with each other.

MR. PATTERSON: It is now about 1 o'clock, don't you think we had better defer these matters until later on? If not I would like to be excused, as it is time to eat.

PRESIDENT JONES: The gentleman is from Illinois where they have pure food, and in abundance, but we had contemplated having no recess or adjournment. What is the sense of the convention in regard to that? So far as I am concerned, my experience has been it is pretty hard to get together again after we adjourn.

MR. GROSVENOR: While I am not a part of the convention, I came here almost entirely to hear this very matter of preservatives discussed. There is, for instance, in the state of Minnesota to-day pending about seventy-five cases under the Preservative Law, which is practically the ruling of the gentlemen from Pennsylvania. Now, there it has been shown that about nine out of ten samples of meat—I refer now to sausage, hamburger steak and chopped meats generally—nine out of ten samples in that state contain some preservative or other. Now I think if you go into this subject a little further that you will find almost every food product that is sold is subject to the use of a preservative at some time or other for some condition of trade or other. That is a pretty broad statement. I have had a great deal of conversation with the food commissioner of Minnesota, who is very much interested in this question, and he has gone as deeply into the subject as anyone in the country, and to me it appeals more than anything else that could be discussed by this association, I mean in its broad, general use and its influence upon manufacturers as well as upon the public generally, and it embraces also quite a legal proposition which has not been touched upon, and I hope, if the convention has any time, you will take the subject up again.

PRESIDENT JONES: I will say to Mr. Grosvenor that he is not an alien in this convention, and that we have a proposed constitution and by-laws which will make him an honorary member. You may not have the right to vote, if it is adopted, but in all other discussions we will be pleased to have you with us. I think that



is the sense of the convention, and we hope to hear from you further and have the benefit of your experience. The question that is now before us is whether we shall proceed or whether we shall have a recess.

MR. HAMILTON: I have made some engagements for this afternoon, in the expectation that the program was going to be carried out as it was printed, and it is absolutely necessary for me to go. I could be here to-night, if necessary, and to-morrow.

MR. GROSVENOR: I wish to thank the president and the executive committee and the associate members for the courtesies which I have enjoyed within the last year from them and particularly with reference to the action of the executive committee in inviting me to meet with them here and at their Columbus meeting.

PRESIDENT JONES: I will say to Mr. Allen that on account of the crowded program for today we might let the labeling question stand over until to-morrow. You can be here to-morrow can you, Mr. Allen?

MR. ALLEN: Yes.

MR. GROSVENOR: I possibly did not understand what is to be done. Is this whole preservative question coming up again to-morrow, is that the idea?

PRESIDENT JONES: It can come up to-morrow, the question of labeling.

MR. GROSVENOR: I think the label proposition is one that is sadly neglected, and one that merits a great deal of attention. I think the gentlemen will agree with me if they will take the pains to look up the copies of decisions along these lines in the United States supreme court. I may be kind of radical, but I do not want to see the subject dropped.

PRESIDENT JONES: I will entertain a motion, then, that this whole matter of labels and preservatives be passed over until we take up the question of the labeling of different food products to-morrow.

MR. BAILEY: We have got a pretty good program on for to-morrow.

MR. HAMILTON: Why couldn't we have an evening session.

PRESIDENT JONES: A motion to that effect will be in order.

On motion of Mr. Hamilton the convention adjourned to meet at 7:30 p. m. of the same day.

WEDNESDAY, OCTOBER 16TH, 1901.

7:30 O'clock p. m.

Convention met pursuant to adjournment.

PRESIDENT JONES: What is the pleasure now of the convention? Is it to take up the regular program or continue the discussions? As you will remember, when we adjourned this afternoon, we were discussing some of these ques-

tions in regard to labels and other matters. Shall we take up the discussion where we quit or begin with the regular program? I await the pleasure of the members.

MR. BLACKBURN: Mr. President, I was not here when the meeting adjourned to-day, having stepped out a few minutes before, but it occurs to me that when I left that that question had been pretty thoroughly threshed out, the question of antiseptics, at that time, and if we are going to get through to-morrow we will have to proceed with our program to-night and have some committees announced, so that these questions that have been regularly provided for can be properly considered and discussed and acted upon. For that reason I would suggest that we go right ahead with the program unless there is some reason for doing otherwise.

PRESIDENT JONES: I think Mr. Blackburn is correct about that, from the fact that we have got no Committee on Resolutions yet, as I understand it, and if we do adopt new rules, or additional rules rather, and a constitution and by-laws, that is, formulate a more extensive constitution as suggested that we do at this meeting, the committee ought to be appointed to-night, so as to report either at this meeting or to-morrow.

MR. BLACKBURN: It would be impossible for that Committee on Resolutions to report to-night, I should think, unless it would be very late.

PRESIDENT JONES: Have you a proposition then to make about the committee?

MR. BLACKBURN: I simply suggest that they be named by the president and that they be directed to bring in a partial report at least at the first session to-morrow. I will make a motion to that effect.

Which motion was duly seconded and declared carried.

PRESIDENT JONES: I will appoint on that committee Messrs. J. E. Blackburn of Ohio, John Hamilton of Pennsylvania and J. B. Noble of Connecticut, in regard to resolutions and the adoption of the constitution and by-laws that have been submitted.

MR. BLACKBURN: Mr. Grosvenor has just called my attention to something I knew but had forgotten. It is customary at the first session to appoint a Finance Committee.

MR. GROSVENOR: The Finance Committee and Resolutions have generally reported at the last session. The by-laws provide that the president shall be ex-officio a member of the Finance Committee, which consists of five in all.

PRESIDENT JONES: I will appoint Mr. Noble, as he is already the secretary and treasurer, Mr. Whitaker of Massachusetts and Mr. Allen of Kentucky.

As Mr. Cowan of Ohio is not here, and Mr. Blackburn has his paper, and as Doctor Eaton

of Illinois is here, if there is no objection I will call upon him.

#### PRELIMINARY EXAMINATION OF FOOD STUFFS—METHODS, ADVANTAGES AND DEFECTS.

By Edward N. Eaton, State Analyst, Illinois.

It is scarcely to be expected that law, however rigorously enforced, will abolish crime. Though the penalties for violation be most severe, though liberty be lost and life itself sacrificed, the ungovernable greed and passions of men have in the past lead to the violation of every moral and social law. Where penalties are light (as is usually the case in infringements of food laws and petty larceny) courts are taxed to their utmost capacity to care for the criminals.

It is difficult to obtain reliable statistics as to the percentage of food sold in violation of law or the effect of enforcement of law on the morals of the community. But we do know positively that fraud after fraud has been exposed and driven from the markets through the enforcement of food laws. Unfortunately fresh deceptions are devised to take their place, requiring the utmost diligence on the part of the commission to protect the public. Even after twenty years under a fairly efficient food law, Dr. Hehner estimates the percentage of adulteration in Great Britain at from four to fifty per cent in the various districts. Other things being equal, the amount of adulteration is roughly proportioned to the risk of detection. The risk of detection depends upon the thoroughness of inspection and the number and skill of the chemists. Unfortunately, most food commissions are long on inspectors and short on chemists. Were inspectors to collect samples diligently and indiscriminately they could soon flood the laboratory and a good-sized warehouse or two. Even then the market would only be in part patrolled and, unless prompt analyses made, scarcely at all purified.

In the case of such commonly adulterated articles as butter, vinegar, lard, cheese and milk, which are almost invariably sold without label, trade mark or means of identification, no sample can be presumed to be pure. Even the goods of a certain vender may one day be good and the next below the state requirements for quality. The legality of each individual sale of these articles can only be determined by chemical examination. To meet the conditions as he finds them—the vast extent of territory to be covered, the prevalence of adulteration, the mass of unfathered food, the plethora of inspectors and the dearth of chemists—many official analysts find it advantageous to educate inspectors to make sample tests, sometimes in the laboratory, sometimes in the field, to establish the presumable purity of food stuffs. This procedure extends and intensifies the field of inspection and adulterated goods are less easily

overlooked. It offers a means for judicious selection of samples, meaning less analyses for the chemist. The analyst's time may then be devoted to the examination of suspicious samples and the work of inflicting punishment on the guilty, greatly increasing his efficiency.

The preliminary testing of food stuffs by inspectors also has a dark side. Inspectors are not usually selected with a view to their adaptability to instruction. Some are "handy," some clumsy, some careful and others careless. Some expect to work for their salary, others regard the emoluments as a reward for past services. Again, inspectors are liable to change with each succeeding administration or perhaps just at the time they begin to be proficient in their work.

Another disadvantage in the procedure is that it leaves a large opening for error in judgment which in view of the great commercial interests involved, is very serious. A case in point happened in a neighboring state, where a brand of goods was condemned on an inspector's test. It was afterwards discovered that the goods were pure, but only after the firm handling the goods had gone to considerable expense to rectify the mistake and doubtless the damage to reputation can never be remedied.

Of preliminary tests which have proven most satisfactory in inspector's hands first place must be given the centrifugal test for fat in milk and cheese. Various machines are used for this work impelled by brute force steam and electricity. For local or stationary work, the 24-bottle steam turbine machine is to be recommended. For field work no satisfactory machine is on the market. For this purpose I have lately devised a portable machine which requires a special bottle. The entire outfit boxed for transportation is only 8x9x9 inches and weighs less than 10 pounds. It is used with satisfaction for this work and is also convenient in general laboratory work. In preliminary examination the inspector may also take the specific gravity of milk with hydrometer and thermometer, and by aid of formula, tables or Richmond's slide rule calculate the percentage of solids and solids less fat.

There are numerous "household" or "touch-the-button" tests for oleomargarine. Of first importance, in my estimation, is the examination with the microscope, employing polarized light and selenite plate as used by agents of the U. S. Internal Revenue Department. The melting test may also be relied upon as a sorting test, noting not only the turbidity of the oil, but the character of the curd. The spoon test has had its advocates and is worthy. Housewives claim to place some reliance on oleomargarine sticking to heated pan, and the odor of hot oleomargarine. A more reliable method is to light a wick placed in the suspected oil, and after snuffing it note the odor of



tallow. The Waterhouse test is the latest candidate for fame. It consists of agitating sample in milk at specified temperatures when oleo will gather while butter granulates and cannot be collected in a lump. Process butter, in all or most of these tests, responds midway between butter and oleomargarine.

Cheese may be crudely judged for fat by molding in fingers. If considerable fat be present, cheese is plastic, otherwise crumbly. A better method is the Babcock test for fat. Filled cheese may sometimes be recognized by the readiness with which fat oozes out, especially when warmed.

For cider vinegar, the lead acetate test is to be recommended.

Lemon extracts may be sampled by the burning test. An essence of good quality should ignite and burn. The relative amount of burning indicates the quality. Artificial extracts are not inflammable. A good vanilla should also ignite, but some genuine goods contain less than 50 per cent alcohol and will not burn.

Mustard may be examined by testing for starch with iodine and for tumeric with ammonia.

Ground coffee may be dropped in water, noting the color streak in the wake of chicory particles.

Granulated sugar may be tested by solution in water, the starch remaining undissolved. Adulterated honey, molasses, maple sugar and table syrup often respond to alcohol test for dextrin, indicative of commercial glucose.

In addition to chemical tests, inspectors may also employ organoleptic methods. They may be able to judge something of the purity of goods by appearance, taste and smell. The cost is oftentimes an indication of quality.

While I have given many tests which might be utilized by inspectors, I do not wish it understood that I endorse the general plan of work; not at any rate applied to all articles of food. Its only recommendation at all lies in the necessity of employing crude methods to compensate for lack of skilled help in the laboratory. But even when so handicapped I am inclined to believe that other procedure will accomplish the desired result.

In case of goods sold without trade mark, brand or label, preliminary examination becomes almost a necessity. In dairy products, for example, which are usually unlabeled and very commonly adulterated, the Babcock test is almost indispensable. Every inspector should not only be able to manipulate the test and take the specific gravity of milk, but understand the principles upon which the operations are founded. This is necessary to avoid embarrassment when called upon to testify in court. Understanding the reasons for each move, more satisfactory work may be done. While with the Minnesota Dairy and Food Commission, the entire force of ten men, from commissioner

down, were able to test milk by the Babcock test and hydrometer.

Let it be understood that I advocate this test, and all inspectors' tests, simply as sorting tests, the suspicious samples being turned over to the chemist for analysis. The burden of establishing the fact of adulteration must rest with the chemist, not the inspector. This advice might seem gratuitous and unnecessary were it not for the fact that several prosecutions have been based on inspectors' tests in several states. Some cases have been won in justices' courts by the defendants pleading guilty, but usually in contested cases the trial ends in disgrace to the inspector and trouble for the commission.

As a general rule, however, I believe the detective work of a food bureau may be accomplished by other means than making amateur chemists of inspectors. It may not be foreign to my subject to outline a plan of inspection which I believe will prove effective and economical and yet free from the disadvantages of field testing by inspectors.

Inspectors may visit stores and go through the stock, examining labels and noting whether variety names are given or whether the words "soaked," "imitation," "adulteration," etc., are given in size of type or position as required by law. They should notice whether the name and address of the manufacturer or packer is on each package. They should know the value of various food stuffs and from the cost price get an indication of the purity of the article. Cheap goods are always suspicious.

With the result of previous analysis in his possession the inspector may guardingly question the legality of certain brands or make of goods, advising of the desirability of getting a written guarantee from the manufacturer or proper labels, as the case may be. In such goods as raspberry, strawberry, banana and pineapple extracts and wild cherry phosphate, he need have no hesitancy in demanding the word "artificial" on the label.

A record of the inspection should be made and at a subsequent inspection it may be noticed whether the dealer has profited by the previous visit.

In taking samples I advise taking up one or two lines of goods and making a thorough inspection of these goods. In the case of trademarked articles, a sample of every brand sold in the state should be purchased. In this manner the complexion of the market may be obtained from a comparatively small number of samples. This method of inspection will permit the examination of all samples of a certain class of food without interruption, a procedure which is a saving of time and a satisfaction to the analyst.

When the information obtained from the result of these analyses is available the inspector may select mainly adulterated samples for analysis.

I am conscious of having somewhat superficially handled the subject, which I believe is worthy of better treatment because important if considered only in reference to the preliminary examination of milk by inspectors. I trust that the discussion will bring out more points in favor of the method applied to other foods, as I understand the practice of preliminary examination of food by inspectors has found favor in several states.

PRESIDENT JONES: I believe, if I understand the program, that there is no one assigned to discussion. The next thing in order will be the discussion of the paper, if there is any one wishes to discuss the question.

MR. DOOLITTLE: Mr. Eaton sent his paper over to me and asked me to comment on it.

#### DISCUSSION OF MR. EATON'S PAPER.

R. E. Doolittle, State Analyst, Michigan.

Mr. Eaton has presented many of the advantages and disadvantages of both sides of this subject, and apparently left it to the rest of us to argue the question from our respective points of view. No doubt every one here is familiar with the practice in Michigan in regard to this matter. We would no more think of an inspector going out for work without his little set of apparatus and chemicals than we would for the chemist to attempt his work without a laboratory. Our law provides for six regular inspectors, five of these devote their entire time to the inspection of grocery stores or places where food products are offered for sale, while one inspector devotes his entire time to looking after the dairy interests—inspecting the milk supply of the different cities, etc. This dairy inspector, as he is called, is generally a practical dairyman, not only well educated in the use of the Babcock and other tests used with milk, but also familiar with the sanitary conditions necessary for sale of pure and healthy milk. This, as Mr. Eaton says, is of vital importance, but I don't know as we regard the education of the milk inspector with reference to the Babcock test of any more importance than of the regular food inspector with the simple tests that aid them in their inspection of food products offered for sale in an ordinary grocery store. We would not think of starting a prosecution upon any test made by an inspector, not even one made by the dairy inspector with the Babcock test.

Perhaps a brief description of the tests our regular inspectors carry would be of some interest to you: Most of them have a little case made about 8 or 10 inches long by 5 or 6 inches wide, in which they carry a solution of iodine for detecting starch in mustard, artificial jellies, etc.; solution of ammonia for detection of turmeric in mustard; lead acetate for cider vinegar, vanilla extract, etc.; two or three test tubes; small alcohol lamp; a marked tube with solution for testing acid strength of

vinegar and small lens for examination of spices, etc. All chemicals and apparatus used by inspectors are sent out from the laboratory. The inspectors are educated in their work by spending a short time in the laboratory and then going out for work with an experienced inspector for a few weeks or until they are able to do the work alone.

We have experienced the difficulties mentioned by Mr. Eaton in regard to political changes, etc., but still we have to-day one inspector at least who has been a member of the department ever since it was organized and others who have been connected with the department a long time. We also have new men of but a few months' experience who are doing good work.

So much for the inspection in Michigan. None of our inspectors approve of the plan stated by Mr. Eaton in the latter part of his paper, nor can I hardly believe he has perfect confidence in it, for you will remember that in the first of his address he says, "In the case of such commonly adulterated articles as butter, vinegar, lard, cheese and milk which are invariably sold without label, etc., no sample can be presumed to be pure. Even the goods of a certain vender may one day be good and the next below the state requirements for quality." The same is true of all bulk goods; yes, even those under special trademarks need very frequent examination. This can in many cases be done by the inspector and only the suspicious ones sent to the laboratory for analysis. Every inspector should, of course, be familiar with the law in regard to proper labelling of goods, such as "Soaked," "Imitation," "Artificial," "Compound," etc., and keep proper record of analyses to familiarize himself with the principal brands throughout the state. The monthly bulletin greatly assists in this regard. But I do not believe inspectors should be inquiring about the price of this and the price of that product, or whom the groceryman bought it from, for it always causes more or less hard feelings on the part of manufacturers and traveling salesmen. All goods should be passed upon just as they are found, carefully examined by the inspector to the best of his ability, and, if for any reason he does not believe they are pure, proper samples should be sent to the laboratory for analysis. The simple tests will greatly assist him in this work; it prevents the loading of the laboratory with an unnecessarily large number of pure samples; it strengthens the inspector in his judgment as to the purity or impurity of certain brands which may have been previously analyzed and oftentimes prevents further sale of badly adulterated goods without the wait of a week or ten days for the chemist's report. If properly carried out this system of inspection will prove most efficient in the enforcement of the food laws of our states. I believe that wherever it has been tried it has met with success; the inspectors them-



selves like the system; it greatly assists the chemists in their work and in every way works for the good of the department.

MR. BAILEY: I would like to say in regard to the inspection of milk by the Babcock test, that any commissioner, that has had any experience along that line, can make just as good a test with the Babcock test as the chemist, and while his certificate would not be as good in court as a chemist's, in our state the chemist is 100 miles away at the Agricultural College, and heretofore we have had to send the milk and everything to him for his certificate, but at the last session of our legislature it was arranged so that the commissioner's certificate should be *prima facie* evidence in the cases of milk and cream and I find it has worked all right; there has never been any dispute about it and it facilitates matters along that line. I don't see why anybody cannot make as good a test of milk and cream with the Babcock test as a chemist.

MR. ALLEN: We have adopted and used exclusively Mr. Eaton's last method, that is, to let the department find out what food is being sold in the different portions of the state. Of course they have to be watched, but if a manufacturer is using something in his catsup or other goods, it is generally being used in every bottle he sends out. That information given to the inspector, he gets hold of it, being in touch with things at the laboratory, and when he goes round he looks through the stock to find out what has to be labeled or passed upon as adulterated. Of course if he finds new brands of things he is suspicious of he brings them in, but we find Mr. Eaton's last method the best, and when the case comes into court, why there is the scientific evidence of the chemist.

MR. WHITAKER: The answer to the gentlemen from Oregon is this. The statute might make the evidence of the inspector *prima facie* evidence, but in a *prima facie* case it is allowable to the defense to rebut that presumption; and you have a stronger case to go to a judge, or before a jury when you can qualify an experienced chemist of a number of years standing as an expert. If the lawyer for the defense begins to question your inspector as to his experience and expert knowledge, there is a possibility that a shadow of doubt may be thrown on the result of his test, so that when the case is going to go into court you are a great deal surer if you have the evidence of a chemist of a number of years' standing than if you have the evidence of your inspector. Still it would be possible to win a case with the evidence of an inspector. Now, in our state, the inspectors have a portable Babcock that they take around with them; the inspector will take a dozen or fifteen samples, carry them to his room in the

hotel and run them through the Babcock; if they are above suspicion he throws them away, and does not lumber up his baggage with that number of samples. If he finds one that is suspicious, and he is seventy or eighty miles from home, and it is sultry weather, he puts a few drops of formaldehyde in it and takes it to the chemist at his convenience.

In regard to oleomargarine, imitation butter, at our Detroit meeting the representative from Minnesota, I think it was, explained to us at some length the boiling test, and profiting by that suggestion I followed it for a number of years, until renovated butter became so common. That boils the same as oleomargarine; it does not boil like straight genuine butter, normal butter. Hence that test now is conclusive only so far as it weeds out normal butter and leaves a product that may be renovated butter or may be oleomargarine, and with that we have to go to the chemist; but if it is rancid it is pretty sure to be renovated butter. With the boiling test, we are eliminating more than three-quarters of the samples of suspected butter imitations which we take, leaving only about a quarter or less to go to the chemist. But when the case comes into court and there is going to be a sharp fight, with a keen lawyer for the defense, there is nothing quite so good as the evidence of a first-class chemist, although the law of Oregon and the decision of the supreme court in our state make admissible the evidence of an inspector; but he has got to establish his expertness by rigid cross-examination, and he may break down on that, or at least the examination may be so sharp as to cast a shadow on his ability, if it has got to depend on the verdict of twelve men to decide.

PRESIDENT JONES: Mr. Whitaker, in your state would any one not posted scientifically, be allowed to testify, that is, would their testimony be sufficient, do you think?

MR. WHITAKER: The practice in my state is this: A person who is going to testify on anything calling for skilled information must first qualify as an expert, giving the amount of experience he has had, and where he was educated and all this and that, and that evidence goes before the trial judge or before the jury, and they size up his credibility as an expert witness upon that information. It may be sufficient to satisfy them that his skill in analysis is perfectly sufficient and it may not. Now in the case, for instance, of Doctor Eaton here; he is so well known that very likely in the majority of cases there is no question raised. But if he went to some court where he had not appeared before as a witness and where the judge was not familiar with him personally, he would be obliged to qualify as an expert, tell where he

was educated, how long he had been practicing as a chemist, what positions he had held officially, and whether he had made a specialty of dairy products, and if his answers were sufficient to satisfy the court of his skill his evidence as to analyses would be received.

MR. COPE: In Pennsylvania we very often find preservatives in milk, therefore we cannot proceed as they do in Massachusetts. The Babcock test would not detect formaldehyde in the first place, and it would not do to add formaldehyde or any other preservative to hold the milk, so we could not proceed that way. The practice is to have the agents, as soon as possible after receiving the milk, get it in the hands of the chemist. The chemist immediately makes a preliminary test. Whether the chemist finds this to be the case or not—one of the chemists in particular says that from his experience, thirty-four hours after formaldehyde, as a preservative in particular I am speaking of now, has been added to the milk it cannot be found unless it is present in very large quantities. Now, what Doctor Eaton's experience has been in that line, I don't know whether it will correspond with that or not.

MR. EATON of Illinois: I am able to detect formalin in milk for a considerable longer period than that. Of course, it may have been present in excessive quantity, as you say; Formaldehyde unites with the casein in the milk on keeping, and the test becomes dim. It is a fact, however, that you can detect formalin with the Babcock test. That is one of the best methods we have; the reaction of commercial sulphuric acid and milk, and if the inspector is educated on that point he can detect it almost as well as a chemist, because it is a standard test.

MR. COPE: It has been our practice to have our agents, as we call them—you call them inspectors—to send the samples to the chemist and they give them a preliminary test, which is not very responsive, and if they find by that test that they are pure they go no farther; if not then they make an extensive test.

MR. WHITAKER: I want to say that the practice in our courts allows the addition of a preservative to milk to be taken to the chemist, because if an inspector or an agent is seventy to eighty miles from the chemist and it is a sultry day in summer and there are only one or two trains a day to that town, he cannot get into the city to the chemist before that milk will sour. Then it is a question of evidence to go to the jury as to how much that formaldehyde, or whatever is added to the milk, affected it. For instance the inspector testifies that he took the sample of milk and added one drop of formaldehyde to a half pint, and the chemist testifies that that milk had but ten per cent of

total solids, of which we will say that eight are solids not fat, then it is a question of fact for the jury to determine on the evidence of the chemist whether that one drop of formaldehyde had any material effect in changing the amount of total solids found in the milk. If the milk were deficient two per cent, even with the formaldehyde added, there would be no trouble about getting a conviction then.

MR. HAMILTON: Mr. Cope perhaps conveyed the impression that there were no preliminary tests made. He did not, I am sure, intend to say that. There are no preliminary tests so far as milk is concerned, but in regard to oleomargarine there are preliminary tests, and that saves us a great deal of expense and saves the chemist a great deal of trouble. Hundreds and hundreds of samples are thrown out that never go to the chemist at all. The preliminary tests are made by the agents and a great many samples never go to the chemist at all.

MR. DOOLITTLE: In regard to the test for formaldehyde in the milk, we have made some experiments along that line in the preparation of milk cases in the City of Detroit last summer. We even went so far as to make up samples and sent them down to Detroit to Mr. Grosvenor, and he sent them back, and it was only when very large quantities were present that he found the formaldehyde. We had several samples made up, putting in different proportions, one in a hundred thousand, one in seventy-five thousand, fifty thousand, ten thousand and five thousand, and it was only in the stronger ones that we found it; that is, to be positive enough to go on the stand and swear there was a characteristic reaction. You see it is only used in milk in certain seasons. We try to co-operate with the health officials and the inspectors of the various cities. Most of the larger cities in Michigan have a local inspection of milk, and we co-operate with them a good deal in our work. The dairy inspector goes to a city and with the local dairy inspector they visit the dairies and take samples of the milk, and myself or the assistant sometimes goes to the city, that is, when we are working in the large cities, as Detroit, for instance. I went to Detroit and stayed three or four weeks until we picked up all the samples in the city and analyzed them right there in Detroit. Of course it is only for a few months of the year that it is really necessary to add preservatives. But it is in spices we find the great advantage of these sample tests used by the inspector. The inspector has a small magnifier that stands on three legs and they get so that they can tell pure samples very quick, in peppers for instance, and they also have tests for mustard. The iodine test for mustard is such that they can tell easily whether there is



starch in it, and it is easy to weed out the samples. After a manufacturer's goods have been examined for a length of time, the inspectors test it from time to time with these simple tests, and if they find nothing there that indicates it. I know sometimes when inspectors take samples, the manufacturers say they have changed their formula on certain things.

PRESIDENT JONES: Is there any further discussion?

MR. GROSVENOR: I want to say a word on this formaldehyde question if I may be allowed to. This fight we had in the city of Detroit was a very bitter one and we were a long while at it, and it was certainly shown there beyond any question, that on taking a bottle half full of milk the formaldehyde frequently left it. It united quicker by shaking where we took a bottle half full and carried it to Detroit, 88 miles, and shipped it right back to Lansing the same afternoon. I particularly remember one instance where we put in one part in five thousand, I think—

MR. DOOLITTLE: One in fifty thousand.

MR. GROSVENOR: I mean the sample I carried down to Detroit the last time. I left at 1:45 in the afternoon, and arrived at Detroit at 4:05, say two hours and a half, and immediately put it in a package and shipped it back by express. I believe the milk came back sweet, didn't it?

MR. DOOLITTLE: I believe it did. We didn't get it until about 11 the next day.

MR. GROSVENOR: And they couldn't find it at all, or any trace of it. We had a great many samples act that way. For instance, when we wanted to corroborate certain findings in certain samples in Detroit, it would respond under Mr. Doolittle's examination in Detroit, but if he carried them to Ann Arbor on the electric car it was gone. That occurred a number of times, just a two-hour difference between Detroit and Ann Arbor.

MR. BAILEY: Was the effect of the formaldehyde gone?

MR. GROSVENOR: It still affected it as a preservative, but whether it combined with the casein or not we do not know. The chemist at the university says he does not know whether it combines with the casein or not; we do not know what becomes of it. The fact remains that we cannot find it. It is gone so far as any purpose of identification is concerned.

MR. EATON of Illinois: We do know formaldehyde combines with casein or any albuminous substance. That is a fact. Perhaps it is impossible to say it actually does so combine in milk, but we can get that reaction in the laboratory. We can make an experiment, take casein and formaldehyde and get a chemical reaction that will harden the casein. Of course

it is impossible to say in the small amount of formaldehyde found in milk that it actually does combine with the casein, but we know that reaction exists, and knowing that, we can assume that it does combine with the casein in milk.

MR. JONES: Is there any further discussion of the subject?

MR. COPE: I would like to ask if your samples come in good shape? In what way do you get those milk samples without having them churned, and if by filling the bottle will it protect it?

MR. EATON of Illinois: Yes.

MR. COPE: I have had a number of samples of milk shipped to the chemist, and a few are nearly always spoiled before they get there.

MR. EATON of Illinois: That part of the inspection work, getting the samples to the laboratory, is very unsatisfactory, because the sample is liable to be churned, and when it is churned it is not in a satisfactory condition for analysis, and you cannot put it in condition for analysis by any treatment you apply to it. A part of the trouble is obviated by filling the bottle so tight that it cannot churn very much, and you can obviate the entire difficulty if you are in a position to keep the samples cold, down to 40 or 50 degrees F. If you keep the temperature there it will never churn, but if it is shipped above that temperature it will always churn.

MR. BAILEY: Is it more difficult to detect the preservative in milk after it has soured or become churned than it is fresh?

MR. EATON of Illinois: Yes, especially if it has soured.

MR. HAMILTON: I would like to inquire, whether any of the commissioners have adopted the plan of having their agents come together into a school to receive instruction, systematic instruction, in regard to this question, of the examination of food?

MR. ALLEN: We have a method in Kentucky. Of course our work has just started. The chemist and myself visit the cities, that is, the larger cities, and have gotten a pretty good knowledge of the conditions of its foods, and then with what inspectors we have we meet in a conference and go over those things and everybody gets familiar with that kind of work. That is the condition of things, and how to look for it, apply it, how to fix the sample and care for things. We find it a good method and we do that systematically.

MR. BAILEY: Has your department a chemist to do that special work?

MR. ALLEN: Yes, we have one assigned for that work.

MR. JONES: I will say that in Illinois before we have our inspectors do any of that kind of work we call them in. We don't call them

in together. We have six in Illinois, and Doctor Eaton, the analyst, comes there and instructs them in regard to the work and gives them a schooling before we send them out. I do not know about the other states. That is the plan in Illinois. Is there any further discussion? If not, we will proceed to the next paper. The next paper is "How to Take a Sample and Make a Record," by Mr. Martin Cowan of Ohio, assistant inspector. As I understand Mr. Cowan is not here, I understand Commissioner Blackburn will read his paper.

MR. BLACKBURN: Mr. Cowan came here at the last date of meeting, but he could not get back here after the meeting had been postponed. He handed me his paper the other day and said that he meant to supplement this, but under the circumstances I will submit it as he gave it to me.

#### HOW TO TAKE A SAMPLE AND MAKE A RECORD.

By Martin Cowen, Chief Inspector.

How to take a sample and how to make a record is dependent upon the purpose for which sample is taken, the wording of the law and the policy pursued by the department charged with the remedying of evils existing in the manufacture and sale of food products and the enforcement of the pure food laws.

What I have to say on this subject will be from the standpoint of Ohio's laws and the policy pursued by Ohio's commissioner. Therefore, only to the extent that your laws and your policy correspond with ours will my paper apply to your State.

Samples may be taken for the purpose of acquainting the department with the quality and composition of the articles secured, and with a view to warning dealers generally against selling such as are found below the standard fixed by law.

In such cases, any manner of taking sample that is not offensive and that will not antagonize dealer, but will, rather, tend to induce dealer to co-operate with department in remedying evils in this way, will suffice, and only such a record as will identify sample and from whom same was obtained need be made.

I cannot conceive of any great degree of success being attained in remedying evils arising in the manufacture and sale of food products without the co-operation of the honest dealer, and I believe this means the dealer generally.

To antagonize this element, and it is easily possible for the inspector to do so, is to bereave the department of the very best means of securing information as to probable violations and most valuable assistance towards securing permanent remedies.

Taking up samples where the probabilities are that prosecution will result is very different and the greatest care should be taken.

We have a general law that reads as follows: "That no person shall, within this state, manufacture for sale, offer for sale, or sell any drug or article of food which is adulterated."

To successfully prosecute under this law samples should be taken in a manner that will not acquaint the person from whom sample is secured with the purpose of the purchaser or identity and intention of the inspector, at least until after the sale and delivery is completed.

This manner is made necessary by section 4 of our pure food laws, which reads as follows:

"Every person manufacturing, offering or exposing for sale or delivering to a purchaser any drug or article of food included in the provisions of this act shall furnish to any person interested or demanding the same, who shall apply to him for the purpose and shall tender him the value of the same, a sample sufficient for the analysis of any such drug or article of food which is in his possession."

And section 5 reads: "Whoever refuses to comply, upon demand, with the requirements of section 4, shall be guilty of a misdemeanor, and upon conviction shall be fined not exceeding \$100 nor less than \$25 or imprisonment not exceeding 100 days nor less than 30 days, or both."

Should we make our purpose known to dealer before sale and delivery is completed you can readily see the defense defendant will set up.

The taking up of samples of vinegar, oleomargarine, dairy products and some other articles of food with a view to prosecute, is made easier and simplified by a clause in the special laws governing the manufacture and sale of same, worded as follows: "Or have in his possession with intent to sell."

This allegation is easily proven by the inspector making his first question as follows: Have you vinegar for sale? Have you oleomargarine for sale? etc., etc.

I invariably make it a rule, upon entering a store for the purpose of securing a sample of one of these articles to make this my first question, for I consider the charge, "did have in his possession with intent to sell," the easiest one to sustain and the surest one upon which to convict.

The oleomargarine cases have been the most bitterly contested in my experience, and because of this, I have arranged a form which I follow to the letter in preparing cases for prosecution. The course I pursue is as follows:

Upon entering store room I approach any one of the persons who appear to be employed there and ask:

Have you oleomargarine for sale?

To which I expect and usually get the answer, yes.

How much is it a pound?

Answered.



Let me see it?

'Tis displayed and I note from where it is taken.

Let me have a pound?

It is wrapped up and delivered to me and I pay for same, giving the exact amount.

Thus the sale and delivery is made without the dealer learning from me my identity or purpose and the possibility of sustaining the charge that he sold, as well as the charge that he kept in his possession with intent to sell, is first-class.

I then, in his presence, proceed to label package and make my record.

My record includes every word that is uttered by the salesman and myself. When my record is made up to the completion of the sale and delivery I then ask salesman for his name, and, if he is not the proprietor, in what capacity he is employed.

I then draft, in a manner I can understand, upon my record book, a diagram of the storeroom, showing location of stock of oleomargarine from which salesman took sample.

My record shows manner and style of package, bulk, brick or print; plaque, if any; color of paper and color of string; day, date and hour of purchase, and day, date and hour of delivery to chemist.

I label package over knot in string so as to make it impossible to gain access to sample without cutting paper and string and in a manner that will qualify the chemist to testify to this fact.

This course pursued and adhered to will, I believe, enable the inspector to give positive testimony, direct and to the point, and foil successfully any attempt of the astute lawyer of the defense to break down and weaken his testimony.

PRESIDENT JONES: We have down for discussion Mr. Kracke of New York, who has not sent any paper on, and Mr. Faust of Utah. Mr. Faust, as I understand it, is not now the commissioner. The present commissioner was here until about a week ago, but could not stay longer. On his way back he stopped to see me and said that he regretted very much that he could not be here, and on account of Mr. Faust going out of office, his successor did not understand the matter, so that he did not have a paper prepared. I am very sorry in both these cases, for I regard this as one of the most interesting questions with which a commissioner has to deal, the proper taking of samples. Using an expression of the street, if he falls down he is likely to fall down there as nearly perhaps as in any other place. As we have no paper, if there is any one who wishes to discuss this question we will be pleased to hear from him.

MR. WHITAKER: One thought occurred to me when this paper was being read, and that is this: I don't quite agree with the writer of it in regard to asking the dealer questions, al-

though perhaps it may be my fault in not understanding the paper just right. Now, with us the law makes it an offense to sell or to have in possession with intent to sell, and the procedure is entirely different in getting evidence of a sale from what it is in getting evidence of possession with intent to sell. If we are going to get evidence of a sale it is usually in a place where the dealer is not acquainted with the inspector, and where the inspector goes in, perhaps dressed as a laborer, perhaps with a clay pipe in his mouth or an old battered dinner pail in hand, and asks for oleomargarine or butterine and buys it and pays his money and goes out. But when he is known, then they won't sell to him. There is no need of his asking, "Have you oleo for sale?" They will say, "No, we have not." Then it is up to him to get evidence of possession with intent to sell. He goes in and says, "I am an inspector of the dairy department," and throws back his coat and shows his badge and says, "I want to inspect your store." He then makes a thorough search. By and by he finds in the refrigerator or somewhere else, a tubful of oleo and he takes a sample of it. Now, the finding of that in the store, with all the surroundings indicating a place of business, the refrigerator, counter, wrapping paper, and scales, makes that a prima facie case of intent to sell; but the inspector frequently tries to clinch that if possible by some off-hand remark, and asks how trade is, and "What do you get for this?" Perhaps the dealer says, "Why, I get 20 cents a pound." That clinches the thing. He cannot put up any kind of bluff in court, because he has told what he got for it. Well, perhaps the man won't tell what he gets for it, and by and by the inspector says, "How do you find trade in this; is there much demand for it in your city?" and perhaps he gets the dealer to make some kind of compromising statement in regard to it. If you are going to get evidence of intent to sell, it seems to me to be the very worst thing to ask, "Have you got oleo for sale?" because if you are going to ask that question you are going to follow it up with a purchase, and if you succeed then you make your complaint out for sale. I had a case only two weeks ago where I hired a woman as an inspector for a week or two and she took a bicycle and rode out to a store, jumped off her wheel and went into the store and asked if they had any oleo for sale and they said "No." The next day she walked there and there was another clerk in the store and she walked in as if she lived in the neighborhood and asked if they had oleo for sale and they said "Yes," and she bought it. Now, just that fact of a stranger coming up there on a wheel was enough to throw them on their guard, and they said "No."

MR. HAMILTON: I had it in mind to ask the same question that Commissioner Whitaker has asked—What do you do when the sale is refused? He has told us what they do, and now I want to ask another question: What do you do when your agent is resisted?

MR. WHITAKER: We have a law that says the agents of the Dairy Bureau shall have access to and from all places of business and all kinds of vessels used in the manufacture and sale of dairy products and imitations thereof, and whoever hinders, obstructs or in any way interferes with a duly authorized agent of the Dairy Bureau shall be punished by a fine of \$100, so that a man has to suffer just as severely for obstructing an officer as he would for having the stuff in his store.

MR. HAMILTON: I would like to ask another question, and that is whether any dairy and food commissioner has an instance in his experience in which a court has sustained such a law as Mr. Whitaker has just told us about. Is such a law constitutional?

MR. WHITAKER: We had a case of that kind tried this month, I don't remember what day. The facts of the case were these: The inspector got upon the wagon of a peddler, took hold of a pound print and started to take a sample of it when the peddler grabbed it out of his hand; wouldn't let him have it. He got off the wagon and I put in a complaint for hindering and obstructing an officer. The peddler was convicted in a lower court, appealed to the higher court and the case was tried before a jury in the Superior Court where he was fined and paid his fine. He had a very sharp lawyer, who fought the case bitterly, but he did not raise the question of constitutionality. We have two other cases where convictions have been secured in the lower court, and they are pending in the Superior Court on appeal, but the constitutionality of the law has not been questioned.

MR. HAMILTON: We have a similar law. We are advised by the best attorneys, that a man who makes a forcible entry, notwithstanding the fact that he is an agent of the dairy and food department of the state, and has his proper commission, is guilty of an assault, and can be punished individually, as though he were an individual making an assault; that this commission does not convey the right to an agent to go in and take by force an article out of a man's store, and that he has not the right to make a forcible entry. So we have been compelled, in the oleo cases particularly, to gain samples, as I suppose most of the other food departments have, through disguise, or by appearing to be an unofficial purchaser. We have no trouble in the pure food department. There they

throw their stores open, and our agents have no difficulty whatever, in going through and examining the stock, but when we come to deal with oleo dealers they are another class of men.

MR. WHITAKER: Perhaps I answered in a little haste in saying there were no court decisions. The phraseology of the oleo law follows the phraseology of the milk law. The milk law gives the same authority, so that we can get in a milkman's wagon and take a sample; that law has been to our Supreme Court and has been decided to be constitutional, so by the same reasoning the court would hold that the oleo law was constitutional.

MR. HAMILTON: Was the question raised in the Supreme Court?

MR. WHITAKER: It was.

MR. HAMILTON: Directly?

MR. WHITAKER: Directly. It is not necessary in our state to take a sample by force. Now, I have got two cases against one man. The fines aggregated \$300. All he did was just to place himself in the gap in that manner (indicating) between the counter and the side of the room, preventing me from going back of the counter. He said, "You can't go there." I said, "You know what the law is," and I called his attention to it. "Well," said he, "I don't care for that; you can't go in there." I said, "All right, we will leave it that way." I went out and swore out a complaint against him and he was fined for the complaint against him and he was fined for the first offense \$100 and for the second offense \$200; and that is all the resistance there was, simply planting himself in that opening. I made no attempt to force my way in.

MR. BAILEY: Our court makes it permissible for the commissioner to go and seize that stuff wherever he finds it. I have never found any resistance. I seized a carload of oleo and stuff of that kind, but they never took it to the courts. They never have resisted in the courts yet.

MR. NOBLE: Do I understand your law gives you the right to seize it?

MR. BAILEY: Yes, sir.

MR. NOBLE: In any case?

MR. BAILEY: Yes, sir, in any case, and I do it. The last thing I seized there was a carload of oleo shipped there by a Kansas City firm. I went out and got two drays to take it away and when I went back there were two lawyers there with papers to serve. I told them I would take all the papers they had to serve and we would reserve our argument until later on. I loaded the oleo on the trucks and took it away and the next day they came around as limp as a rag, saying that they had a telegram from the firm that shipped it that they did not want to lose the oleo, and if possible they would like to get



possession of it and ship it back to Kansas City. I told them I would ship it back to Kansas City if they would swear not to ship any more of it into Oregon. They agreed to do that, and I shipped it back to Kansas City. That was one of the best firms in Oregon.

MR. JONES: Do you pay compensation for it when you seize it?

MR. BAILEY: Don't pay a nickel, don't pay a cent.

MR. SHERWOOD: Our law gives the commissioner the right to confiscate all goods shipped into the state not labeled according to law, but I assume we must go at it legally and not in that way. We must have a legal process.

MR. BAILEY: What do you call a legal process?

MR. SHERWOOD: You must go to the court and get a process to take it.

MR. BAILEY: If I had depended upon the courts for anything out there I would never do anything out there in our country. I am going to give you an experience now that I had in the court. The first case I had after I was elected two years ago. I came back from the Legislature at Salem and found a car of process butter. I went to the party and handed him a copy of the law, took him into the office and said, "Now, I don't want to get you into any trouble; you read this law and sell that butter according to it and you won't get into any trouble." They went ahead and sold it and I took a witness with me and bought a sample of the process butter and sent it up and had it analyzed. It was two months before I could get the chemist to certify that it was process butter; that was two years and a half ago. He sent a sample of it to Professor Wiley of Washington and after a while he gave me a certificate that it was process butter. After two months' time I had the parties arrested. That afternoon one of them walked into my office and said to me, "Bailey, this must be a joke, being arrested for selling process butter." I said, "What are you going to do about it?" He said, "We don't deny it is process butter and we came to see you to fix it up." I told him to come down to the Police Court at half past 2 and we could fix it up down there. He said, "We don't want any notoriety; we have had a like trouble in this line before and whatever you say, we will pay and settle it." I convinced them they couldn't settle it and they went down there and got the case put off until the next day and the next day, and when the case finally came to trial I and the man who was with me were the only two men sworn, and the only men who offered one word of testimony. Both of the defendants stood there at the desk and never said it was process butter and never said it wasn't process

butter, never said it was marked or that it wasn't marked, and the judge took it under advisement for two days and then discharged them. When this carload of oleo was brought into Portland we had no law prohibiting the sale of oleo, providing it was sold as oleo, and I found by examining this man's books that he would take a roll down to a restaurant he was selling to, just before dinner, and sell a roll or two rolls, and before supper he would sell a roll or two, so that there was never any butter on hand. I found at one place he was selling six or seven rolls, and as soon as I went in there, I was satisfied it was oleo. I took two men with me—two business men—and went in and called for cakes with plenty of butter and as soon as they brought it to the table I hauled it in and sent it to the chemist and he pronounced it oleo. At that time our law required there should be a notice hung in a conspicuous place, so that it would be readily seen by any one entering the door and when we went in I told these men to notice carefully and see if there was anything there to indicate that they were selling oleo and they said they would go into court and go on the stand and swear there was nothing there. I had the man arrested and I swore I was there three times hunting for that notice, and they swore they were there and that I had called their attention to it and they could not find any, and the only man who swore positively there was any there was the man who sold it to him, and he also swore that he had seen the proprietor there at the same time, and the proprietor had already sworn that he had not been there for four days before the arrest, but was at home sick, and the court took the case under advisement and discharged the man. Then I went to the legislature and I asked for a clause in the law which prohibited, absolutely prohibited, the selling of oleo colored to imitate butter in the state. They wanted to know if I wanted anything else. I told them I wanted a section that would give the commissioner the right to seize it wherever he found it. They thought I was joking, that it was giving a good deal of power to one man, but they did it, and when I came back there I found that carload of oleomargarine there and I seized it. The prosecuting attorney asked me if I was going to have the parties arrested. I said, "Not much; I have got a better thing; I will stop it," and I did, and they sent it back to Kansas City.

MR. NOBLE: In the regard to the taking of samples and being resisted, our law is very similar to the Massachusetts law. In 1886, soon after the Connecticut law was passed, the commissioner went into a store and was just buying a pound of oleo from the clerk when the proprietor came in. There was a good deal of

feeling at the time over the oleo question and there was a lot of it being sold in the state. The proprietor saw what he was doing and surmised who he was and put him out of the store. He got the pound of oleo in his hand, but did not have a chance to pay and threw the money back in the store as he went out. The court decided it did not constitute a sale. We turned around and prosecuted him for assault and for refusing to sell, and the court fined him \$100. Now, we had a case last year, last winter, where we found a lot of oleo stored in a warehouse, a carter, and we lost the case because there was no one that would claim it. We could not prosecute the warehouseman. He had it there, but he did not have it for sale. We were well satisfied as to who it belonged to while it was there, but they said they didn't know anything about it; it was not theirs. There was quite a number spoke about it at the time and said we ought to have a right to seize it. I consulted the parties who drew the law—that is, ex-Congressman Simons—and he said he thought it would be a good thing. I asked him if he would fix it up. He thought it over and I saw him a few days after that and he said we would have to go through just the same process of law to do that that they do in the liquor cases. He said, "You cannot go and get that butter and take it away unless you get a process from the courts; you have got to apply to the courts for it first," and he drew up a bill, but he finally concluded, and others did, that it would perhaps be too cumbersome and take too long. In these oleo cases we want to do it right away, we don't want to wait, and so the bill was not passed.

MR. WHITAKER: While this matter is being discussed, relative to our right to take samples, an instance has been brought to my mind of an unusual case. We went into a store and found in the cellar a corner of the room petitioned off, but there were quite loose joints in the boards, and peeking through them we could see considerable oleo in the room. The proprietor of the store was not in and our inspector made a demand on the clerk, the manager in charge, for a key to that room. The manager was very polite, said he would be very glad to do anything to help us, but the proprietor was out and had the key with him and it was not within his power to let us in. Clearly there was no obstruction there, because the manager expressed every desire to help us. We asked where the proprietor was and he said he was around the city somewhere; he guessed he had gone to the bank. Our agent said he would wait and did so for an hour or two; the proprietor did not put in his appearance. Finally, acting under my instructions, the inspector said, "We have a right to go

in that room down there, but at the same time we want to be as pleasant and agreeable as we can; I am going to wait here any reasonable length of time you say, and you can state the time yourself, for the proprietor to be here, I am going to get in that storeroom, and if you don't set any time I shall wait a reasonable time and then smash it." And he waited a while longer and then said to the manager, "I guess I shall have to break into that room downstairs," and the two went down cellar. My man got an axe, smashed the partition and went in and got his sample. We convicted the fellow in the lower court. He appealed to the Superior Court. His attorney there put up a cock and bull story to the prosecuting attorney as to what evidence they were going to put in as to the defendant's agency, and so it was arranged that he should plead guilty and the case be put on file; but there wasn't a finger lifted to touch us in any shape or manner for breaking into that storeroom.

MR. BLACKBURN: I want to state in answer to the questions put by Mr. Whitaker and Mr. Hamilton that our experience has been that it is always better to hire some private party to get the sample where the dealer knows the inspector and lies to him when he has it for sale. We usually go to one of the constables of the local court where we try the cases and the constable goes with the inspector; if he is not known in the vicinity he goes in the store and buys the sample. We have never had a failure in such a case to convict. The inspector meets him at the door and takes the sample; he obtains the name of the clerk who sold it to him, makes his report then and there, and we find that is the best way to get along, although we have had one or two different experiences; in one case we had an inspector thrown out. It was a bar room and he went in to buy some whisky and the proprietor seized him; the inspector is a little fellow and weighs about ninety pounds, and they say they threw him about twenty feet; but he went back and got the sample, and the man was prosecuted and convicted.

MR. ALLEN: We have an attorney in Lexington who is very well known for his opinions and he briefed the subject up for us and told us to make a note of the fact if they refused to give us a sample, but he did not think the case would warrant any smashing or destroying or anything of that kind, but thought it had better come through a legal process; he thought in some cases it might not be constitutional and that it would hurt us more than it would do us good, and advised us to bring it before the court and not have any fuss ourselves, but just bring it before the court.



MR. BAILEY: I like this idea of going and taking it. It shortens things a whole lot.

MR. HAMILTON: Have your lawyer bring the fact before the court that sale was refused.

MR. ALLEN: Just bring the fact before the court that he refused to permit an inspection or sell a sample.

PRESIDENT JONES: I never knew our friend Bailey had hypnotic powers before, but he must have, to go before the legislature and get anything he wants.

MR. BAILEY: I went before the legislature last winter and they gave me everything I asked for.

MR. SHERWOOD: I would like to ask if other states are in the same condition we are in regard to the prosecuting of the case. Now, the law makes it a Circuit Court offense if the fine is over \$100 or one month in jail. The fines under this dairy and food law are all, with one exception, which is, I think, the butter maker, above that—that is, the maximum. We haven't a case that we can bring in a justice court under the whole law.

PRESIDENT JONES: Do you have to proceed by indictment or information?

MR. SHERWOOD: By information. We have to proceed by information and go to the Circuit Court, a long, tedious process in every case. I would like to ask the experience of others, whether it would be better to ask for legislation to reduce the fine so that we can bring the case in a justice court or leave it as it is.

PRESIDENT JONES: I would say to the gentleman it would be better to do it, but if he has the same success I had, he will go away empty-handed. When I got down to Springfield with my bill—I have got a copy of it with me—I thought it was a very nice bill, but when I met the oleo folks and the others there, I never got it out of the committee.

MR. BAILEY: We don't have to meet anybody; with us it is as Mr. Bailey says, we get almost anything we ask for.

PRESIDENT JONES: You had better go before the legislature as soon as you can.

MR. BLACKBURN: We find in our state, in answer to the gentleman's question, that we cannot possibly get action in a satisfactory manner, except through what is commonly called the magistrates or justice of peace. We call them J. P.'s in our state. In Pennsylvania, I believe, they call them magistrates.

MR. HAMILTON: Justices of the peace or magistrates.

MR. BLACKBURN: Now, the justices of the peace the mayors in incorporated cities and villages; the police judges. The larger cities all have what they call a police judge; they have final jurisdiction in these cases. They are always taken up on questions of law and

technicalities and appealed, but we try the case in a Justice Court, and so far as the trial of the case itself is concerned, it usually ends there. Of course, if there is any disposition to fight the case very hard, they take it up on a question of law. We have tried more cases of that kind in the last year than we did in the previous five or six years, and it works satisfactorily in every respect except one. It don't work well in the oleo prosecutions for this reason: These are all criminal offenses. You know the sale of adulterated goods is made a criminal offense, punishable by a fine or imprisonment, or both usually, and for the sale of artificially colored oleo the defense always demands a jury, and it seems as though they have always been successful in getting somebody on the jury who would not agree to a verdict, and we have brought these cases before, involving fines of \$50, and spent hundreds and hundreds of dollars and very seldom can convict. Sometimes we can keep piling cases against them and force a plea of guilty. Sometimes we kept detectives to watch and scare people from talking to the jury, and we sometimes get convictions in that way, but it is hard work and expensive work and costs an immense sum of money every year. We have one law in our state that is under the jurisdiction of the commissioner where we have a different procedure. I refer to the adulteration of linseed oil. We are required to indict in those cases. Of course, the grand jury is in session only three or four weeks in the year, and it is hard to get any action under that law. It is very difficult to enforce, and I don't believe there has been a conviction in our state under that act, but we use it to threaten with, and it does a little good in its present form, but it is not the success it would be if we tried these cases before the justices of the peace or mayor.

MR. HAMILTON: On this general subject I would like if Commissioner Cope would show the gentlemen here, the method that is pursued in taking a sample in our state. We think it is pretty nearly complete, and we can keep close track of all of the cases that we have. We have now pending, I suppose, fifteen or sixteen hundred cases in court; they are all so systematized that we can find one and bring up the evidence at any time. A man will be just as good a witness a few years from now as he was on the day the sample was taken. I think, perhaps, some of the gentlemen would be interested in knowing how it is done.

PRESIDENT JONES: If there is no objection, I presume we would all like to hear a brief statement of how it is done while we are upon this question.

MR. COPE: I will make the statement as brief as I can. We put in the hands of the

agent the following blanks: The agent is instructed in taking samples, to note very carefully all the surroundings, and particularly in taking samples of oleo. He is instructed to note very particularly who is present in the store, and to be able to describe them if necessary, the condition the store is in at the time, and so forth, and as soon as possible after taking the sample—I had better state, though, that we have rather to conduct a detective service in our state; where our agents are known it is almost impossible to get a sample of oleomargarine. It is very often necessary to send out a stranger to assist the agent in order to get a sample, but in the first place he wraps the sample with a blank called the memorandum slip, which is inclosed by the agent with the sample. He enters on this blank from whom it is purchased, the place of purchase, number of sample, agent's private mark, agent's name, the date of purchase, and time of day, what the sample is represented to be, the price paid, when sent to the chemist, the chemist's name, and any remarks necessary he is required to place here, and on his memorandum book he enters the same data with the description of the store and surroundings any conversation that takes place he is required to make a note of that. The sample is numbered, and, as I stated above, he gives the agent's initial; they usually use their own initial, and each agent is required to have a number and he notes the same on his memorandum book. After the analysis is made, the chemist reports upon the sample. He is required to send one copy to the Secretary of Agriculture, another to the Dairy and Food Commissioner, and one to the agent who took the sample. On the blank is put the number of the sample, the chemist's number and agent's number, the agent's name; he describes the sample, what it is, from whom the sample is taken, the date of the taking and the hour and the date the sample is received, and any marks upon the package he is required to state. I will further state that we require, particularly in food products, if possible to give the name of the manufacturer.

MR. PATTERSON: What do you mean by marks on the package?

MR. COPE: The brand of the article and the name, whatever names appear upon it, particularly if there is any manufacturer's name. Very often the name on it is not the manufacturer's name. We find a good many goods that there is no name on except the dealer's. He also has a blank for entering the certificates of the analysis. He states the results and gives advice, whether in his opinion he can testify upon it as a case; if he thinks it is a weak case he also states that, if a doubtful

case he states, and so on. Upon the agent's receipt of this report he is required to send to the Dairy and Food Commissioner the following report: "I am just in receipt of a report from (naming the chemist) of sample number —, private mark —, purchased from — by —, date —," and what the chemist reports it to be, and then asks for instructions, if it is a case for prosecution. If the chemist reports it not a case, of course, this is not sent. He only sends these upon samples reported as cases, and he is immediately instructed to bring prosecution. As soon as the information is made he reports upon a blank headed: "Agent's report of suits and prosecutions," upon which he gives the name of the defendant, the defendant's post office address, the magistrate's name and post office address, when suit was begun, the date fixed for the hearing, the nature of the charge, the form of action, the name of the attorney, if one, and then any remarks he wishes to note afterwards. If he does not have any attorney he is required to report upon the following blank, entitled "Dairy and Food Special Agent's Additional Report," in which he states the proceedings before the magistrate.

MR. PATTERSON: Is that after the case is called, or when the case is on trial?

MR. COPE: Yes.

MR. PATTERSON: Then what disposition is made of it at the time, that is put on file.

MR. COPE: Yes. If he has an attorney the attorney is required to make that report and not the agent.

MR. PATTERSON: That report, as I understand, goes back to your office and is filed.

MR. COPE: All these reports are filed in their respective boxes and numbered.

MR. HAMILTON: And they are also entered upon a memorandum card, and that card is filed. The card contains a full history of the case, so that we can tell by looking at it, just what cases we have in a certain county, and what condition they are in, at the time.

PRESIDENT JONES: I would like to ask a question while you are on that. Do you ever have any trouble where the defendant claims the right to examine the papers and analyses? Has that question ever come up in your court? For instance, the attorney for the defendant will come in and want to examine your books and papers and the analysis that your chemist has made, what would you do?

MR. HAMILTON: We have no objection; pass them over to him.

MR. COPE: Let him see them and he usually gets in to trouble. If you give the chemist a book he always gets into trouble.

PRESIDENT JONES: I turn the books over to him.



MR. HAMILTON: Our chemist keeps his own reports.

PRESIDENT JONES: We had a case of that kind come up. They came in and claimed the privilege of looking through all our reports—chemist's, inspector's, and all the rest of them—and we have been allowing them to go on and examine them—any reputable attorney—allowing them to examine anything connected with the office.

MR. WHITAKER: That is a matter of courtesy, not a matter of right.

MR. COPE: At the time of the trial, when they ask for the chemist's book, we pass it over.

PRESIDENT JONES: We don't, as a general thing, pass it over until they come and demand it. What would you do then, I want to know, under your practice? I am asking for information. We had it come up before us. Would you let them as a matter of fact, would you let them see the chemist's report?

MR. HAMILTON: Sometimes the chemist refuses, and he has a right to refuse if he sees fit. It is a mere private memorandum book.

PRESIDENT JONES: What do you say about it under your law in Massachusetts? Do you think you would have the right to refuse them?

MR. WHITAKER: A perfect right. Only nine times out of ten my personal relations with the attorneys on the other side are very amicable and pleasant, and I extend them all the courtesies I can, because I think it is policy to do so; I don't get cranky with them. If a man should come and demand it as a matter of right he wouldn't get anything.

MR. PATTERSON: Suppose he should go before the magistrate and ask for a bill of particulars, and, of course, a bill of particulars would include the analysis of the chemist, what would you do in that case?

MR. HAMILTON: The chemist appears before the magistrate and gives his testimony, and they can question him to any extent and he will give all the information in his possession, but he does not necessarily give up his book. He makes an oral statement.

MR. PATTERSON: I am speaking of before the case is tried.

MR. HAMILTON: It is before the magistrate or justice that he does this; the testimony has to come in at that time, and then, when he comes into court, he makes a similar declaration on the witness stand, and uses his own book as a memorandum, but he does not necessarily have to turn that book over to the other side.

MR. PATTERSON: Here is the point: The case is continued—some cases are continued from one time to another—and suppose the attorney for the defense asks for a bill of particulars, and the bill of particulars includes, of course, the analysis of the sample.

MR. WHITAKER: Does it?

MR. PATTERSON: That will make out a case—that is, the case of the state.

MR. WHITAKER: He can claim the complaint is not correct and ask for a bill of particulars, but in the case you state he is asking for all of your evidence.

MR. PATTERSON: As a rule, of course, most of the magistrates would say, Yes, you ought to be able to give him a bill of particulars. I know that matter came up in a case in which we were in and the judge asked our attorney to give the other side a bill of particulars in a very important case, and in the bill of particulars included the chemist's analysis.

MR. HAMILTON: It does not necessarily include the entire analysis made by the chemist, simply the essential features. The chemist has discovered that color has been used, we will say, in oleo; that is all he has to testify to. He says it is there, and if they want to know by what test he discovered it he makes that statement and he can give the items exactly, showing the test that he used and the method.

MR. PATTERSON: On the trial of the case?

MR. HAMILTON: On the trial of the case.

MR. PATTERSON: I am speaking of before the trial of the case.

MR. HAMILTON: Before the trial of the case the information itself indicates what the charge is, whether it is selling without a license or whether it is selling adulterated goods, or whether it is selling colored goods contrary to law.

PRESIDENT JONES: Are you through?

MR. COPE: Just two or three moments more. We are very good patrons of the printer down in our state, and we find it necessary. After the proceedings before the court, the attorney is required to report upon what is called the "Additional Report" blank. Upon that he enters the proceedings in court and the determination of the case. To keep track of our agents, they are required to report to us weekly the places visited and the samples taken and delivered to the chemist, and weekly they are required to report all suits and prosecutions which shall occur during the week. All these papers are filed in their individual cases, so that we can at any time refer to them in addition to the docket, and keep accurate trace of all cases, and also on the card—we have the card system, which simplifies matters very much.

PRESIDENT JONES: If there is nothing further we will come now to the discussion of the paper, "Desirable National Legislation Relative to Dairy and Food Products."

Major Patterson of Illinois is here, but Mr. Adams is not. I presume, however, there will be no objection to his discussing what is supposed to be Mr. Adams' paper. If there is no

objection we will hear Mr. Patterson this evening.

DISCUSSION OF THE SUBJECT, "DESIRABLE NATIONAL LEGISLATION RELATIVE TO DAIRY AND FOOD PRODUCTS" (by Hon. R. M. Patterson of Illinois):

Mr. President and Gentlemen of the National Convention of Dairy and Food Departments: I feel somewhat timid in appearing before men of experience, and especially after listening to the able addresses delivered by our worthy President, Mr. Hamilton, Mr. Blackburn and others. Now, they have given me a subject which ought to have been given to an old-time pure food man. I only received my appointment, through the courtesy of Gov. Yates and our President, Mr. Jones, a short time ago. Of course, Mr. Jones is a hard worker and he desires all of his assistants to work hard, and I presume he had something to do with the assigning of the subject.

The question of oleomargarine began in Illinois back in the year 1879, when the law was passed endeavoring to regulate the manufacture and sale of imitations of butter and cheese. These were branding laws and evidently proved inefficient, for at the session of 1881 of the Illinois legislature another law was passed. While something of an improvement over the law of 1879, there was a clause which made it incumbent upon the state to prove to the entire satisfaction of the court that the defendant violated the law knowingly. A few prosecutions were successful under this law in 1884, when the buttermen raised a fund and employed detectives to secure evidence and counsel to prosecute the cases. The outcome of these prosecutions was the filing of a number of damage suits against the leading buttermen, which suit necessarily cost quite a sum for defense. This discouraged further investigation on this line. From 1884 until 1895, so far as the state of Illinois was concerned, there was practically a wide open market for the oleomargarine people.

When the national tax law (the Harsh bill) went into effect, it cleared up a part of the business to a considerable extent, reducing the number of manufacturers and dealers to a very small number.

In 1895 the sale of oleomargarine as butter had become so universal in Illinois that the dairymen of the state organized and went to Springfield to urge the passage of a law similar to that of Massachusetts which, in December previous, had been pronounced constitutional by Justice Harlan in the famous decision of the Plumeley case. The dairymen were not successful, however, at this session of the legislature.

There are many dairymen in Illinois, numbering nearly one million people, interested in dairy products, and at the session of the legislature in

1897 the dairy interests were successful in their campaign and succeeded in the passage of the anti-color law by more than a two-thirds majority in the house and an exact two-thirds majority in the senate. The measure of 1897 did not provide for the state food commission, and consequently an independent organization attempted to enforce the law. The first three indictments were secured before a grand jury of Cook county, and before these cases came to trial there were seventy other arrests made in this same line. The defendants of these seventy cases went before the district judges and sued out a writ of habeas corpus, and this brought up the question of the constitutionality of the law. Three of our Circuit judges, sitting Enbanco, and after the arguments were made Judge Elbridge Hanecy handed down an opinion, according to the decision of a majority of the judges, finding the coloring law unconstitutional. One of these judges held the coloring law valid. This decision of a majority of the judges sitting discharged all of the seventy defendants and thereby blocked any chance of getting the cases into the Supreme Court of the state. Various attempts have since been made to get a case to the higher courts.

The law which creates the Illinois food commission was passed in 1899, but the attorney general decided that under the provisions the commissioner could not prosecute until July 1st, 1900. Therefore, this department could take no steps in this direction until a year ago last July. A few cases for the sale of oleomargarine as butter have been prosecuted in the Justice of the Peace Courts and fines imposed, and there are a number of indictments pending before the Cook County Criminal Court on the same charges, these being the first cases brought by the food commission.

However, the interesting part of our work began about the first of July, 1901, when we decided to go out to the center of the butter interests in Illinois and endeavor to secure a test case. We brought several suits under the anti-color law of 1897 against five Elgin grocers and butchers to recover the penalties for the sale of oleomargarine colored in semblance of butter. They demanded a jury trial and after two days in the Justice's court the jury went out and were out eight hours and returned, reporting a disagreement. We called another case and were nearly two days in trying that. The jury this time stayed out all night and were called in the next day at the opening of the court, declared they could not agree. We went right on and brought another case and this case took us two and a half days to try and the jury remained out twelve hours, returning with a disagreement, three to three. After a long siege during the hottest of the hot weather we found ourselves no nearer the Supreme Court than the day the law was passed. A few days ago we returned to Elgin again and called up another case. This time



the jury brought in a verdict for the defendants, and the food commission will make a test case on the constitutionality of the law and carry it to the Supreme Court of the state if possible.

In Illinois the jury is the judge of the law and the fact, and a jury in a justice's court can pass upon the constitutionality of the law and dismiss a defendant. The state must contend with the broad right of the jury to say a law is bad without the ability to show its necessity. In other words, the Illinois jury is given the prerogative of the legislature to say what is and what is not good law. The Elgin juries could see no harm in the sale of oleomargarine with coloring matter, so long as it was sold for oleomargarine. They claimed that what was fair for the buttermen should be fair for the butterine men, and the butterine men should be allowed to use the same material for coloring their butterine that dairymen are allowed to use in coloring butter. The state was barred from showing that such coloring enabled the butterine dealers to practice a deception upon the public because the court rightly ruled that such evidence was immaterial and incompetent, stating that such facts were for the legislature of the state to investigate.

The oleomargarine influence in Illinois is powerful. There were at the end of the last year 2,439 oleomargarine dealers in Northern Illinois, about 25 per cent of all the oleomargarine dealers in the United States. Nearly 50 per cent of all the oleomargarine made in this country is made in our state, which last year produced in the neighborhood of 41,000,000 pounds. The oleomargarine interests, in Northern Illinois in particular, are very extensive and it is a pretty hard matter to secure a jury who will convict dealers who evade the law. Butterine sells much below the price of dairy butter and the impression that the people have of butter and butterine—that it is hard to detect the difference by taste or sight—makes it a hard matter to secure a jury when one and possibly all of the jurymen use butterine on their tables; and as long as such conditions exist in the state of Illinois, in my opinion, we will find great difficulty in enforcing the law.

A national law, like the Grout bill, would, of course, place the business commodity where it could be coped with. But the inducements that are now furnished dealers in order to secure their co-operation in the sale of this article, the matter of enforcing any law against the sale of oleomargarine in our state presents a task little understood by those who have not been up against the problem.

#### SIMPLE TEST OLEOMARGARINE.

You take a pint of sweet milk and heat it to boiling and drop in a piece of the suspected oleomargarine about as large as a hickory nut, and stir it with a light stick until the fat is all melted.

Place this vessel in cold water and at this point the oleomargarine can easily be collected together in one lump by means of this stick, while if it is butter it will granulate and cannot be collected.

#### HORSE MEAT EATEN IN ILLINOIS.

On investigation the food commission was startled to discover that there were many horse slaughter-houses located in out-of-the-way places near many of the larger cities in our state. The owners of these slaughter-houses insert ads. in our daily papers as follows:

*Wanted—All kinds of horses, \$1 to \$15. Will call.*

*Horses Wanted For killing; ambulance for crippled horses. Send postal card.*

*Highest prices paid for killers—Want all kinds of sick, sore-footed horses. Will call.*

*Wanted—Old Horses to kill. Will call.*

Many of these horses we have observed had glanders, sores all over them, and especially sore feet. Many horses are poor, crippled and afflicted with diseases of all kinds and descriptions. This horse meat is sold as beef by unscrupulous dealers for consumption by the public. Horse meat is used principally in cheap restaurants and saloons. There is no law in Illinois against the killing of horses and no law to prevent a man from selling horse meat as horse meat. The price of horse meat in Illinois ranges per pound, for fore quarters, from 2 to 4 cents, and from 3 to 5 cents for hind quarter. Choice cuts for steaks and roasts range from 4 to 7 cents per pound. The same cuts in beef average from 20 to 25 cents per pound. This horse meat is preserved, especially in the fall of the year, the same as corned beef, and is made into hamburger steaks and is also worked up into sausage, and as such sells at a correspondingly low price. As near as we can ascertain horses killed in Illinois in the last three months amounted in the neighborhood of 2,165; mules and donkeys in the neighborhood of 26. This is a most dangerous condition without a regulation of law on the sale of meat.

#### BARYTES DISCOVERED.

We are startled at the discovery of barytes in flour and sugar. On investigation we found the principal beneficiaries of this fraud practiced on the entire population of the United States was by the flour and sugar trusts. Barytes sells at from \$4 to \$6 per ton; that is the crude material; and \$8 to \$10 per ton for domestic No. 1 ground. Flour brings \$66 on the average per ton.

The profits to the manufacturer for adulteration by barytes can be easily figured. Briefly stated, the American consumers have paid nearly five millions for pulverized mineral which they eat in flour and sugar in a period of about twelve months.

The headquarters of barytes is at Lynchburg, Virginia. The mills which are known to use

barytes by the train and car load are located as follows:

Two in Minneapolis, one in St. Louis, one in Cleveland, two in Philadelphia, one in New York and one at Norfolk, Virginia. The largest barytes mines are at Hot Springs, North Carolina, and Bessemer City, Tennessee.

The Baltimore Trust and Guarantee Co. form what is called the American Lead and Barytes Co., with a capital of \$11,000,000. Their first purchase of land was 33,100 acres in Missouri, near St. Louis. In Tennessee barytes occurs in beds of clay found along the Tennessee River valley, the largest deposit being found in the vicinity of the villages of Sweet Water, London and Philadelphia in Cocke County. Several mines have been opened along the lines of the southern railroads and are being extensively developed. The Lawnsdale mill and other properties at Knoxville have crushers, washers and dryers installed, and the ore will be treated there in the future instead of at Lynchburg, Virginia. These improvements and purchases have been made by the Hiawasse Mining Co. at Lynchburg.

I have a sample of the crude material as well as the pulverized here, and by looking at it you can see that it is valuable because of its weight and the pulverized similarity to flour and sugar.

We are not all chemists and cannot detect poisonous adulterations, and if the government wants to preserve the health of its people there must be something done in the very near future to stop poisonous adulterations of food. The materials of adulterations, as a rule, are unhealthy, and it is fair to presume that all adulterations contain very much less nourishment than the pure food itself. For example, pour water into pure milk and you will have an adulteration without any nourishment. This adulteration, we all know, is for the sole purpose of making a tremendous profit from the sale of milk. In my judgment the question of adulterations in all foods, such as oleomargarine, hamburger steaks, sausage, coffee, milk, tea, vinegar, baking powder, spices, flour, ice cream, honey, jellies, preserves, canned goods, chocolates, candies of all descriptions, wines and liquors, and, in fact, all the foods and drinks that the people of this country are eating and drinking to-day should have a national law to regulate the adulterations of food of every kind and character, and this national convention should recommend to Congress that all poisonous adulterations in food products should cease.

PRESIDENT JONES: With your permission, I would like to have Mr. Patterson explain this killing of horses in Chicago. It might look as though this was done with the knowledge of the commissioner, and he will tell you what we found when we took charge over in Hammond, Indiana, and what we have been trying to do.

I think it is due to us, as well as the National Commission, to explain that.

MR. PATTERSON: Information came to our office that there was horse meat sold in the market and I consulted with the commissioner about it and he thought it best for us to investigate it; in an investigation of about two weeks we found eight slaughter houses throughout the state. I went to one slaughter house and stayed there all night, and along about 1 o'clock in the morning there were twenty horses—that is, old plugs and skates, as we call them—went into the slaughter house and, I presume, were killed. I didn't go very near, but was about a block and a half away and could not see the act of killing, but in about an hour and a half four big wagons came out and went down the street and down into the city. We found at Niles Center the same condition, and in many other places. Now, of course, we all know that there is no law in Illinois, and I don't know whether there is in any other state, to prevent the killing of horses. A man can kill a horse, but it has never been presumed that they would put horse meat on the market; but the great difficulty about this whole problem is, these men insert their advertisements in the papers and get all kinds of horses and put this horse meat on the market. Certainly in some of the old countries, and, I believe, in France, they have horse meat there, but it is under regulation, and experienced people say that horse meat, or those that eat horse meat, say it is sweet and palatable and all right. It was very startling to me to learn that such a condition existed in our state, and I think that this matter should be taken up by this convention. Of course, as I stated before, I am a new man in this line of work.

MR. NOBLE: Was it sold as horse meat, or what was it sold for?

MR. PATTERSON: Here is the difficulty. Of course, the buyer and the seller have a tacit understanding about such things.

MR. NOBLE: I mean to the consumer.

MR. PATTERSON: For instance, if you are running a restaurant and I am the man killing the horses and you can buy horse meat from me at eight or ten cents less a pound than you could buy beef, and some outsider comes in and you say, "I buy horse meat," you cannot convict a man under those conditions at all. That is the situation, and it is a very serious matter, and I think some action should be taken by this convention on the subject.

MR. BAILEY: We kill horses out in our country, but we don't pick up the old ones and lame ones and sick ones, but they go down there on the Ranch and bring them in by the train load from June to July; they are young, vigorous, strong, and healthy, and they kill there about six thousand a year; but that is all packed



and shipped to France, and I don't think there is a pound of horse meat eaten in Oregon. Two or three years ago horses that would weigh from 900 to 1,200 pounds they would pay on the Ranch a dollar and a half or a dollar and six bits a head. I think last year they raised two bits, or something of that kind; but they are young horses, wilder than Indians, and they don't touch them until they get big and strong and fat, but they are perfectly healthy and in fine condition. That meat is all packed and shipped away, but I think they sell some of the hides here; the thick meat is put in pickle and the rest is sold for fertilizer.

MR. PATTERSON: You say they pickle it there, do you?

MR. BAILEY: Yes. I saw the first horse they killed and I don't want to see another one. They put the thick pieces in pickle and send it to France.

PRESIDENT JONES: I just wish to say in reference to this question that it is not in Illinois that all this slaughtering is done. Hammond, Indiana, is right across the line, and they have been slaughtering horses there for years, and it was only recently it came to our knowledge that this was being done in Illinois.

On motion of Mr. Bailey the convention adjourned to meet at 9:30 o'clock A. M. the next day, Thursday, Oct. 17, 1901.

THURSDAY, OCT. 17, 1901, Convention met pursuant to adjournment at 9:30 a. m.

PRESIDENT JONES: The next thing in order is an address by the Honorable G. M. Whitaker, dairy commissioner of Massachusetts, on the subject of "The Practical Enforcement of Pure Food Laws."

#### THE PRACTICAL ENFORCEMENT OF PURE FOOD LAWS.

(By Geo. M. Whitaker of Massachusetts.)

This subject is not of my selection, but was assigned me by the executive committee. On asking for some definition of it, or some suggestion as to the line of thought in the mind of the committee, I was told to treat the subject in any manner I pleased. It seems to me that the emphatic or leading word in the expression is "practical," else why is it there? "The enforcement of law" and the "Enforcement of food laws" are topics with clear meanings, but when the subject is the "Practical enforcement of food laws" I assume that there is some reason for using the word practical, and proceed on that assumption.

By way of introduction let me say that I favor a society for the prevention of cruelty to the word "practical." It is the most abused, misused word in the language. The man devoid of fine instincts and cultivation, who can scarcely read the English language correctly, but who, by luck, chicanery or native shrewdness, has accumulated a few dollars,

is popularly regarded as an extremely practical man, and is frequently alluded to as such. If his financial success has cultivated his audacity to such an extent that he expresses an opinion on educational matters, he emphasizes the value of a practical education, meaning a narrow bread and butter education. The farmer of the moss-back, grandfather's-rut variety is always the loudest in his boasts of being so very practical.

We sometimes read in even well-edited books and newspapers of some book or some institute worker being "practical rather than scientific," implying a marked difference between the two words. I know of one school that advertises a professor of "practical agriculture." This word practical has been dragged in the mud and badly smothered till it conveys an idea of pettiness, narrowness or inferiority.

The word is often used in a perverted sense, as, for instance, in allusions to the importance of this or that position being filled by a practical man—meaning a man skilled in the narrow technique of some trade or profession, and overlooking breadth of view, good judgment or executive capacity. Success is predicted for a secretary of agriculture because he is a practical farmer or for some commissioner because he is a practical engineer, or something else; when the real essentials are discretion, tact and a clear head. When the present national administration came into power Secretary Long was probably the least practical—in the popular sense—of any of the late president's advisers; he knew almost nothing of battleships or naval affairs. And yet his management of the navy has been emphatically successful.

In my own writing I avoid the word practical as far as possible lest it may not convey the precise thought I have in mind.

But, after all, practical is a good legitimate word, full of honest meaning and very expressive in its proper place. The dictionaries give it several definitions, and herein is possibly a cause of some confusion. One meaning is "useful." I do not consider an education as really useful that ignores the chief ends of life and gives undue prominence to filling the stomach three times a day. The useful enforcement of food laws means more wholesome, more honest and more uniform food products for the great consuming public and less competition with fraud for honest producers. Another meaning of the word practical is "evincing skill." I consider the truly practical farmer to be the one who evinces skill. Real skill is the combination of science with good judgment in actual practice. The skillful enforcement of pure food laws is the useful enforcement of them. It necessitates a peculiar combination of ability: Detective skill, legal skill, backbone, integrity, knowledge of human nature and executive skill.

A third use of the word practical is "in distinc-

tion from theoretical." And it is on this phase of the subject that I purpose to dwell briefly, even at the risk of saying what to experts like the members of this convention may seem commonplace. It will be understood, of course, that my thoughts are based on Massachusetts experience, founded on Massachusetts laws, customs and court decisions.

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The average individual usually looks at the enforcement of food laws from the theoretical standpoint. From that standpoint he sometimes becomes our critic, because he is ignorant of the limitations under which we work. Not long since I noticed an editorial in a good dairy paper something like this: "The pure food commissioner of Pennsylvania has decided to do nothing toward enforcing the oleomargarine law while its constitutionality is before the courts. There should be a new commissioner in Pennsylvania." Now I presume the practice in that state is the same as in Massachusetts, and that the trial courts will not consider cases arising under laws whose constitutionality is being determined. Pending the Plumley decision in Massachusetts we did nothing toward the enforcement of our anti-color law; an attempt was made, but it resulted in a petition to the courts for an injunction. The theorist who penned the above paragraph was ignorant of this court custom and therefore did an injustice to the Pennsylvania commissioner. The theoretical man looks at the enforcement of law as he looks at a pile driver or a buzz saw. When he hears of wrongdoing he expects to see a blow struck with the relentless precision and blind accuracy of inert matter. He thinks that monkeying with pure food laws should bring retributive results as certain and as arbitrary as fooling with a revolving saw. But there is where he makes a mistake.

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I. As a preliminary to the practical enforcement of food laws we must have practical laws. To illustrate: The impractical fellow sometimes tries to get the word "knowingly" into the law. But this would render the enactment absolutely useless. Knowledge on the part of the vender that an article was adulterated can hardly ever be proved, while the claim of lack of knowledge is always a good defence. Again: The practical enforcement of food laws costs money, money to get samples, money to make analyses, money to prosecute cases in court. The failure to appreciate this practical fact cripples many a department through the failure to get a sufficient appropriation. The pile driver must have the force of a steam engine back of it. My experience is leading me to think that better results in the enforcement of food laws would in some instances be secured by some changes in the statutory penalties. It seems to me that a very small fine for first offence, a sub-

stantial one for second offence and imprisonment for third offence would have a number of advantages. This scheme would be ample warning to the ignorant and careless, free from hardship; it would be a good lesson to them and drive them out of business without undue harshness. In addition it would be a terror to the persistent law violator who now figures that he can charge two or three fines a year to expense account and still be ahead of the game.

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II. In the next place in the practical enforcement of pure food laws we must comply with all the technical requirements of the laws of evidence. Too often the theoretical enforcement of law knows nothing of these and is therefore sometimes impatient at what seems unnecessary delay. It is one thing to know a fact, as language is ordinarily used; it is another thing to be able to prove it in court. The theorist thinks that evidence of a sale of an adulterated or imitation food should be easily secured. But frequently inspectors are known to the law violators who will not sell to them or even to a stranger. Possibly the person we are after is a peddler without any regular route, in one town to-day and another to-morrow, making sales only in private residences to families with whom he is acquainted or to whom he is introduced by mutual acquaintances. Frequently evidence of sale can be secured only by some detective trick; but this costs money, and if your appropriation is limited you are up against a very practical proposition of which the theorist is ignorant and the force of which he cannot appreciate.

In recognition of the difficulties attending evidence of an actual sale the statutes of most states also prohibit possession with intent to sell and give us authority to search all suspected places. Finding an article in a store with all the paraphernalia of doing business makes out a prima facie case which will stand unless some explanation is made. But this is sometimes presented and with much shrewdness. A common story is that the goods were a part of the family supplies of the proprietor of the store, kept in the store for convenience. In one Massachusetts city a somewhat prominent violator of the oleomargarine law had a bakery in connection with his business, and when we found the contraband article in his store we had a prima facie case, but the presumption was always rebutted by the story that he had the oleo on hand to use in his bakery. Finally a boy was hired who succeeded in making a purchase. But the theoretical enforcer of law could not understand why we did not go right into the store and get a case at once.

Some dealers keep contraband goods in stables or the cellars of private residences where intent to sell cannot be presumed from possession. Some-



times the dealer is a peddler doing business from a light driving wagon, and intent to sell cannot be assumed from possession under such circumstances.

One peddler who gave us much trouble did business from a handle basket, and I remember receiving quite a sharp letter from a local dealer whose business was injured by the competition because we did not stamp it out at once.

The theoretical enforcement of law sometimes fails to comprehend the precautions that must be taken to preserve and establish the identity of the sample. Samples are sometimes sent to us on which to base a complaint, but they prove worthless because of failure to seal them or to take other precaution.

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III. When evidence has been secured the next practical consideration is whether or not to put the case into court. This surprises our theoretical friend who looks upon the enforcement of law like the running of an inexorable machine and does not realize that a prosecuting officer may properly use any discretion. Take the case of milk to illustrate. Suppose the standard is 12 per cent, while we have evidence of a sale of milk testing 11.8 per cent. We would not put the case into court, for probably we would lose it, because the sample is so near the line that questions of possible slight errors in sampling or in analysis would raise "reasonable doubt" in the mind of the court. As a rule in the practical enforcement of law we don't want to put a case into court with defeat staring us in the face. We would soon lose caste with the courts. Where shall we draw the line as to when to prosecute? Judgment and the circumstances in each case must answer the question. In milk Massachusetts' practice is to pass as satisfactory that which is at least within one-half of one per cent of the standard. And yet one account of peculiar circumstances I recently put in a case and secured conviction when the margin was much less.

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IV. When evidence has been secured and good judgment says the case should be prosecuted, we are next up against two propositions, which the theorist does not understand. (a) The first is when a lying defence is set up we could not foresee and which we are not prepared to meet. In one instance in my experience the trial magistrate said: "In some cases I have two opinions—one judicial and one personal. In this case personally I am satisfied that the government has made out its case and that the defendant is guilty, but when two unimpeached witnesses deny the story of one government inspector, I have a judicial doubt and must discharge the defendant."

(b) Then there is the individuality of the magistrate. Of any two trial justices each may be

equally honest and equally able, but they may look at evidence differently on account of difference in temperament. Justice is portrayed as blind; she is impartial; but her sword does not fall with the mechanical precision of a sightless machine. In the practical enforcement of food laws the human element in judges must be recognized. We occasionally lose a case on evidence which would give us the verdict from another judge, and vice versa. Some judges have a local reputation for severity, while others are known as "the defendant's judge." So far as my experience goes judges are well disposed toward pure food laws.

In a recent case where the complaint charged a sale of an imitation of yellow butter, our evidence was conclusive, and yet the defendant was discharged because the judge did not recall whether or not any witness used the word yellow in the evidence. In another instance our witness swore to the purchase of oleomargarine and the defendant's lawyer admitted that we had proved our case, but he put his client on the stand to say that he always bought butter as he supposed; the judge ordered the discharge of the defendant, saying he would take the word of no government witness as against the denial of a defendant. In another case a witness testified with some hesitation, and our case was lost on that account. In these three cases the same evidence would have been sufficient to secure conviction before other magistrates. The last was a case where we utilized the services of one not of our regular staff; sometimes—as in this instance—such a person proves a poor witness, and we lose the case and properly so. But the theorist would hardly see why such a case should be lost when there was no moral doubt of the defendant's guilt.

After we have secured conviction a motion is frequently made to place the case on file, or to allow the defendant to go on probation without paying a fine. The mitigating features of the case are all argued and an attempt made to save the fellow from the penalty arising from his transgression. Hence, it frequently happens that after conviction no penalty is imposed. Here, too, the personal equation is an important factor; some judges are by temperament more lenient than others. In the case of the milk laws, there are some judges who do not believe in an arbitrary statute standard and so they put on file all cases for under-standard milk.

V. Not all cases are settled in the lower court. There may be appeals, and, if so, the practical enforcement of food laws encounters some things of interest. First, there is the public prosecutor—district attorney, the officer is called in Massachusetts. In the Superior Court the case comes under his charge. But the impractical man will be surprised to find that the county attorney, state

attorney, district attorney, or whatever else he may be called, is as much a judicial officer as he is a prosecuting officer. He examines the evidence in each case and throws out such as is structurally weak. He hears stories of alleged mitigating circumstances and passes upon them. He considers requests to nol pros or file cases. He must decide upon propositions to compromise cases. He must determine what cases are of most importance and what can be continued if necessary. When a session of court is on or due, the district attorney is in demand at every hand. Officers interested in the prosecution of cases try to get his ear to impress upon him the merits and importance of their cases. Attorneys for the defense plead and coax. He is button-holed in the corridor, in the smoking-room, at lunch, in his office, and even the sanctity of his home is sometimes invaded.

When a case is finally for trial, the jury is an important factor to be considered. Of the uncertainties of jury trials and the eccentricities of juries so much has been written and so much is a matter of common knowledge that this part of the subject requires no further attention. After the trial—if the verdict is guilty—comes the question of sentence, and if the statute allows any latitude the personality of this judge is an important element before the affair is ended. Some judges are more stern than others, some more easily moved by mitigating circumstances than others.

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In conclusion: This recital of some of the conditions we encounter in the practical enforcement of food laws has been prepared in no critical spirit; but to show why criminal law cannot work like an inexorable machine. The impractical theorist may think that these facts indicate a slipshod administration of justice. But I do not think so, although I am at times provoked at losing a carefully prepared case when I am satisfied of the guilt of the defendant, or in seeing it filed away. But these instances are comparatively few. If there is anything reprehensible in the existing conditions, the trouble is deeper than the food laws, which relatively fare very well and are generally in accord with public sentiment.

A prosecuting attorney once said to me after the trial of a case that had occupied a whole day, "This is all the time I can give to oleomargarine cases at this term of court. The judge says it must end this week and I must try an assault case, a rape case and a burglary case this session. These will probably occupy all of the time, and the rest of your cases must go over till the next term."

This paper does not imply that the course of law should not be harsh when necessary, or that all dealers in dishonest food products should get off lightly. I have known of a man paying a fine of \$500 for selling imitation butter and of another

man serving three months in the house of correction for a similar offence. One Massachusetts citizen is now in the state custody for perjury in a pure food case. Severity in extreme cases, moderation when justified, attention to mitigating circumstances, freedom from malice or revenge, reason and common sense at all times, make law both punitive and deterrent. It becomes the terror of the persistent, and the restrainer of the weak or negligent, while it commands the confidence and respect of the community.

The ideal administration of criminal law is when justice is tempered with mercy. Vindictiveness has no place in the criminal court room. Prosecution not persecution should be our aim. We want pure and honest foods sold in our several states, but as men dealing with our fellowmen, we are not solicitous to see fines or jail sentences imposed. Oftentimes the deterrent effect of law is as well secured by filing a case on a man's agreement to go out of business as it would be to embitter him by insisting on a fine. If the criminal classes looked upon the courts as cars of juggernaut a spirit of sullen ugliness would be engendered which would bode no good to the community.

If the practical and the theoretical enforcement of food laws do not always coincide, the fact by no means indicates miscarriage of justice. There is some punishment even in the case compromised. The visit of the inspector taking samples is a wholesome experience, even if it results in no cases for the court. The practical enforcement of food laws mingles justice with mercy, eliminates any element of persecution, makes the law accomplish its purpose without danger of such rigidity as to create reaction or popular disapproval. In the long run the practical enforcement of food laws accomplishes more and secures better results than would the theoretical enforcement of these laws.

PRESIDENT JONES: We have on the program for the discussion of the subject assigned to Mr. Whitaker and just treated of by him, Mr. Bailey of Oregon.

DISCUSSION OF THE SUBJECT, "THE PRACTICAL ENFORCEMENT OF PURE FOOD LAWS" (by Hon. J. W. Bailey of Oregon):

"Mr. President and Gentlemen of the Convention: I have prepared no paper on this subject. I did not see Mr. Whitaker's paper until yesterday, and as I am situated in a far distant state, and working there practically alone, to talk of our pure food laws might not be of practical benefit to you here, so I can simply give you a little outline or statement of what I am doing out there, and while it seems to work there, after hearing your papers here and discussions, it might not be practical with many of you. As I said last night, if I depended upon our courts



I would not get very far, but the first thing I found I needed in the enforcement of our laws was the support of the people, and particularly the press. If you will give me the unqualified support of the daily press and papers of the country, I would rather have it than all the judges and juries and lawyers that you can find, because they enter every household; every one reads some paper or other. The papers are educators, and it is education along these lines that we want, and one of the best ways to get it is through the discussions brought about through the press. Next to the papers you want to gain the confidence and support of the wholesalers and jobbers. In the first place, give them to understand that the law is to be strictly enforced, and that there will be no deviations, that all will be treated alike honestly and fairly, and you will find that they will work with you rather than against you. This was demonstrated to me last spring after our legislature had passed the present vinegar law, which prohibits the sale of acid and distilled vinegar, colored to imitate cider vinegar. Every wholesale house in our city had large quantities of this acid, colored vinegar on hand, some of them having thousands of dollars invested, as in buying it in large quantities they could get it cheaper. After the law passed in February, I sent them all notice that they would be given until the first of May to get rid of what they had on hand. Some of them thought that this would be unjust and work a hardship, but as they were all to be treated alike, no one made any serious objection and the consequence was that the vinegar was shipped out of the state by the carload, some of it going into Idaho, a state where the last legislature passed a pure food law, but was vetoed by the Governor. It was also sent to British Columbia and California, so that by the first of May none was to be found and there was no need for a single prosecution. What is true with the wholesalers will apply equally as well with the retailers. Let them know that you are with them and not against them, and you will have no trouble in getting samples. I always find it best to go direct to the proprietor and tell him who I am and ask to be allowed to look through his stock, and never yet has there been the slightest objection, but am always treated with the greatest courtesy, and as I go through the stock, if I find anything objectionable, I call attention to it and advise them what to do and never yet have I found it necessary to call a man down twice on the same proposition. They all seem to realize that honesty is the best policy, and in a state where the sentiment and the press are so strongly in favor of the pure food laws that they cannot afford to oppose them. I will say, however, that this has not always been the case, and that I met with a good deal of opposition in the start and found it necessary to prosecute our largest dealers. My worst trouble was with bogus jellies

and process butter. In the jelly cases in every instance the parties pleaded guilty and paid their fine, which in most cases was remitted in the same breath that it was imposed, but the papers took hold of the matter and published the chemical analysis and showed to the public just what they contained and that there was no fruit or juice in them. With this knowledge the people wanted none of them, so that to-day there is not a bucket in the state, only what is labeled just what it is. The firms arrested for selling process butter lost a trade which they had been years building up and which they have not regained to this day. For, as in the case of the jellies, when it was shown that this vile stuff was made from anything that would make soap-grease, there was no demand for it. And process butter is probably the most dangerous counterfeit that we have to deal with, for with it put in presentable shape and with a good salesman behind it, large quantities are and can be sold. But with its true character known, no firm or dealer can do business in selling it along beside the genuine article. For in the first place the public will shun his place of business for fear they will get some of it, and in the second place our dairyman will not consign the products of his creamery to a man to be sold in competition with this cheap article. Now, these are the conclusions that I have come to after three years of experience in this line of work. First get the confidence and support of the press. Second, work in harmony as far as possible with the wholesalers and jobbers. The same can be said of the retailers and small dealers, and never allow yourself to be under any obligations to any one. Never depart from the law as you understand it, and treat every one alike with courtesy and firmness and much more can be accomplished in making a record that will stand as a monument to the great work in hand than in any other way.

MR. PATTERSON: Did you ever seize any fish out there?

MR. BAILEY: I got a letter from a fellow up the valley last summer during one of these hot spells. He said he was getting some fish from Portland and they had sent it C. O. D. and it wouldn't keep any time. I said if he sends it C. O. D. that means "cod," and it ought to keep any length of time.

MR. BLACKBURN: Have you ever noticed that any of the newspapers are influenced by the manufacturers.

MR. BAILEY: Not to the slightest extent, either big or little. They stand right by the proposition, and, as I say, I would rather have their support than all the courts, judges, lawyers, and juries in the country.

MR. BLACKBURN: In our state, Ohio, the oleo dealers, and particularly in the city of Columbus, the oleo people can get the papers to take any position they want them to, and they

do it. The newspapers tell me the reason they do it is because they get so much a line.

MR. BAILEY: When I seized that carload of oleo two or three months ago the papers came right out and stood by me on the whole proposition.

MR. BLACKBURN: Our papers are just the other way.

MR. BAILEY: That is where you are unfortunate.

MR. BAILEY: When I started in and took this office, notwithstanding the fact that Oregon can produce more fruit probably than any state in the Union, there wasn't a jelly factory and there wasn't a fruit-canning factory in the state. They were bringing in jellies put up in buckets in St. Paul and St. Louis, and other places East where they have pure food laws, by the train load and selling it for fifty cents a bucket or twenty-five cents. The first thing I did was to stop that. I had one or two parties brought in quietly and they plead guilty and paid a fine, but they did not stop it, and I came to the conclusion the manufacturers were back of them and paid the fine, so one morning I took in seven or eight, big and little, just as I found them, wholesalers and retailers, and brought them into court and the secretary of the wholesalers' association was there, and he went down and called a meeting of the wholesalers and sent for me to come down. They said, "What does this mean?" I said, "It means I am going to stop the sale of these goods." They said, "But it will ruin our business." I said, "Then you have got a mighty poor business, and if that is the business that is going to be done the sooner it is stopped the better." They said, "If that is the view you take of it we will stop right away and we will hold up our hands and promise to never bring another bucket of that into Oregon." To-day there are at least twenty or thirty jelly and fruit canning establishments in the state and I don't believe you can find a bucket of that stuff in Oregon, where before they were bringing it in by the carload. They have a retailers' protective association, and that is where I get a great deal of help. I go among them and talk to them and I have got their confidence, and if anybody comes along and offers them a line of goods they are not particularly acquainted with, and if they are suspicious, they send a sample down to the dairy commissioner and if he says it is all right they will talk with him. They won't buy anything of him unless they get a written guarantee that it is all right, and they haven't any trouble about getting goods that are first class.

MR. BLACKBURN: Speaking of sentiment in the different communities, we had occasion to prosecute a manufacturer of oleo in our town,

Columbus, the capital of Ohio. Not only was every newspaper arrayed against the department and against the prosecution, but public sentiment generally was very strong against it, so much so that one silly minister preached a sermon on the subject, a sensational sort of a sermon, and he painted me as his Satanic majesty because I was prosecuting these oleo people.

MR. BAILEY: The government tax on oleo brought into our state is \$480 a year to wholesalers and at that rate it would not pay them to dabble in it very much. The state is particularly adapted to dairying, and that is one of the industries that is being particularly encouraged at this time by the railroads and the press generally.

MR. HAMILTON: Don't you think we had better hear Mr. Eaton before there is any further discussion?

PRESIDENT JONES: We have on our program a discussion of this paper by Mr. Eaton of Connecticut.

#### DISCUSSION OF THE SUBJECT, "THE PRACTICAL ENFORCEMENT OF PURE FOOD LAWS," by

MR. EATON, of Connecticut: Mr. President and Gentlemen of the Convention, I can assure you that it is with a great deal of hesitancy and diffidence that I am compelled to follow such representative and able business men as have preceded me, with their wide experience, and I must confess also that I have not prepared a paper myself, and, as I had not seen Mr. Whitaker's paper, I may not follow closely along his line of thought; still, I want to tell you of a condition that confronts us in our state of Connecticut, which is a small state, and, as Mr. Bailey told me at one time, they had farms out in Oregon larger than the whole state of Connecticut. I want to show you the condition that confronts us in the enforcement of the pure food laws. And right here I want to say to you that the success of the pure food laws depends largely, if not entirely, upon the way they are prosecuted to meet public sentiment. Now, we cannot get away from public sentiment. Public sentiment may stand by Mr. Bailey in his acts out in Oregon, but they would never stand by Commissioner Noble in Connecticut. Mr. Noble is fortunate enough, and I might say unfortunate enough, to own a small farm in Connecticut, but you might call it just a garden in Oregon. If he should do those same things in Connecticut there might be a damage suit against him, and we have to conform our actions to the different conditions in Connecticut. I guess we are unfortunate enough to have bad neighbors, not the states of Massachusetts or New York, but, as Mr. Whittaker will bear me out, we are side by side with the sister state of Rhode Island. They have no pure food law



on their statute book in Rhode Island. Oleomargarine is made there and shipped into our state, and they are also shipping into the neighboring state of Massachusetts. Now, we have got to contend with these conditions: Connecticut is largely a manufacturing state, dotted here and there upon its little streams with manufacturing establishments, a great many of woolen and cotton goods, and the operatives in those mills are nearly all of them French-Canadians, French people. They come down there and they want to buy something cheap. They are over on the eastern border of Connecticut and there is a sentiment there in favor of oleomargarine, and we have great difficulty in enforcing the law. We have to be very careful in the way we enforce the law over there because we don't want to arouse public sentiment against our general pure food laws, and particularly the oleomargarine law. I will speak first of the oleomargarine law because that is the first law we had along the line of pure foods in Connecticut. It was passed in 1886 and several amendments have been made up to the present time, but that is when the law was first passed. A commissioner was appointed shortly after the law was framed and he went in and cleaned out the state in a wholesale manner. Now, I trust what I say here won't be taken down. I don't want to be personal, but I want to show you the acts of the commissioner—what he started to do. He thought he would rid the state of oleomargarine in about a year or two, and he ran up against a snag. Public sentiment would not sustain him. He did good work and the farmers were satisfied, but the manufacturers were very much dissatisfied and the press was against him, the majority of the press, and the press is in the cities, and they kept it going, and even one of the papers to-day, one of the influential papers is bitter against the oleomargarine law and it wields a strong influence in the state of Connecticut. But we have had to contend with that feeling, and we believe to-day the laws are enforced as well in Connecticut as in any other state of the Union. But why are they enforced so nicely? Because we try to make everybody believe we are doing them a favor, that it is not class legislation for the benefit of the farmer, but that we are doing the consumer a favor by enforcing the oleomargarine law, and we are trying to educate them up to the fact that people can buy just what they have a right to buy and not be imposed upon, that the state of Connecticut is doing them lots of good.

Now, we had, later on, the molasses law and the vinegar law. You have them practically the same in your state, and the law as to commercial feeding stuffs. These are special laws, which are placed in the hands of the dairy com-

missioner for enforcement. In 1895 there was a general pure food law passed in Connecticut and amended at the last legislature. That law was placed originally in the hands of the officers of the Connecticut Agricultural Experiment Station. I have one of their pamphlets here, the last issued in 1900, which you can look at later on to see the work they are doing there. The act was amended at the last legislature; also allowing the dairy commissioner to co-operate with the Connecticut Agricultural Experiment Station officers. They are taking samples all over the state of different lines of jellies, cream of tartars, and various things in the food line and making analyses. They also get out a report yearly and they publish in that report the results of their analyses. We think that this is doing a good work; in fact, it has been fully demonstrated that we are doing a good work along this line and meeting with good results, and the results obtained are what we want and we are getting them here. For illustration, they take up the line of jellies and publish the man's name and what those jellies contain in this report. These reports are sent broadcast throughout the state. If these jellies are adulterated they are very careful next year that their names are not contained in this book, and they are anxiously looking for the published report to see if the dealer's name is published in it; and we think we are doing a whole lot of good. Doctor Jenkins of the Connecticut Agricultural Experiment Station said to me not long ago that they could not find one-quarter of the adulteration in the state of Connecticut now that they did four years ago, and they are not bringing prosecutions; it is not necessary. If the Connecticut Agricultural Experiment Station officers find goods adulterated they immediately report to the dairy commissioner the result of the analysis. The dairy commissioner then gets out this statement. I have some of them here and will pass them around among you. They file those with the dealers, notifying them of the results of their analyses. That is the first report upon the first analysis. When the second report comes in on that line from the same dealer they are prosecuted. We don't prosecute on the first report, but they are very careful, these dealers are, not to get caught the second time. Now, we think we are obtaining good results along that line by first notifying the dealers. There was a time, about seven years ago, when I started in this line of work, that they disliked very much to see me coming around, and the dealers would turn their backs to me. They were opposing the dairy commissioner. The sentiment was strong in Connecticut. To-day they are working hand in hand with us, co-operating with us in every way and like to see us very much, because we try to treat

them fairly and treat them right. We never bring a case unless we have got positive proof that we can convict the parties. Now, these statutes, the majority of them, are criminal statutes, and when we go into court we want to have the positive knowledge of the sale, or whatever the requirements are in any of these acts. We do not want to go in there surmising anything. In some of the acts is the wording regarding the intent of a person. I presume some of the other states have that same wording—"with intent to sell." Now, that is a very difficult problem to solve, to try to prove the intent of the individual. We had an illustration of that in regard to the oleo law, imitation butter. Six months ago we found an establishment, a storage house in Waterbury, where they had about seventy-five sixty-pound tubs of oleomargarine. We had information in a roundabout way that a certain dealer was going there and getting tubs occasionally and bringing it away from there and putting it up and selling it. The party who gave us the information would not go into court; he had no positive information, but he said it was told to him. We could not find anything at that time that we could bring into court. We watched the storehouse and later on another shipment came. Finally Mr. Noble and myself went there and made an inspection and found by analysis that it was oleomargarine. We have to furnish an affidavit from the Agricultural Experiment Station, which is *prima facie* evidence. We brought suit in court and tried to prove it was there with intent to sell, but we were thrown down immediately. The burden of proof was upon our side. What could we prove? We might go in there and suppose and theorize, we might put up a theoretical case, but that was not the fact; they wanted to know facts, consequently we were thrown down in court, and every time a dairy commissioner is thrown down upon a case in court it hurts and weakens and injures the dairy laws. A dairy commissioner, I believe, in every state, with positive knowledge, positive information, can go into court with a good case and secure a conviction, and in that way good results will follow along the pure food line.

There is another matter I want to speak of that we have to contend with in our state and that is in regard to oleomargarine. In Connecticut we have a very large number of brick-making establishments. They employ an inferior quality of help, cheap help. They come over to Castle Garden and the manufacturers keep them only through the summer and then turn them off and have no further use for them. They pay them twelve or fifteen dollars a month and are given their board in the boarding house of the company. About four years ago complaints came in that the brickyards in the

state were using oleomargarine contrary to law and the commissioner was asked to do something about it. The commissioner started in immediately to investigate and we found that all the brick yards, nearly all of them, were using oleomargarine and we consulted some attorneys, who had a difference of opinion regarding the matter. They were located in different towns. In some towns the prosecuting attorneys refused point blank to bring any prosecution. I went to see the president of the brick trust, and he said, "Yes, we do use oleomargarine, but we tried to use butter; I went into our own boarding house and purchased some butter and tried to stop the use of oleomargarine. I bought a butter that, I will admit, was not a first-class dairy butter, paying about eighteen or nineteen cents a pound, and placed it upon the table and after a few days we came pretty near having a riot. They complained so about the stinking butter, and we had to go back again to the use of oleomargarine, and if you want to prosecute us we shall take it to the highest court." I consulted with some of the officials of the state and their advice was to let it alone; that we could not prosecute these men for using that any more than we could the farmer for giving it to his men where they were paying a certain amount of wages and furnishing their board. In Connecticut many farmers are shipping their milk right along to Providence and bringing back oleomargarine.

We have to be very careful in our prosecutions. We want to prosecute to the fullest extent of the law, but we don't want to do anything that will create public sentiment against us, but, as I say, we want to prosecute any violation of the law which is openly a violation.

I do not know that I have covered the entire ground. Perhaps I have digressed some from the line of thought Mr. Whitaker took up, but as I did not see his paper you will have to pardon me if I strayed some. I will see that you all have a copy of the reports of the Connecticut Agricultural Experiment Station to show you the line of food products they are taking up, which they are sending broadcast throughout the state, and we think those are doing a whole lot of good.

MR. NOBLE: As Mr. Eaton has said, in sending out those notices a prosecution is not brought on the first case. The word "knowingly," which Mr. Whitaker spoke of, is in the law—any one who sells these goods knowingly. Well, the case is brought up, and if it is a case of canned goods or anything of that kind, we don't know anything about that, and it is all right; then that notice is sent out and if we find them still selling the same goods, if they have been notified that the goods are adulterat-



ed, a prosecution is brought, but the first time they get out by saying, "We did not know that was within the law."

MR. HAMILTON: Mr. Chairman, we have had some difficulties in Pennsylvania in the enforcement of the pure food laws. One is this, and I would like to have some gentleman tell us what we ought to do under the circumstances: We arrest a man under evidence that is conclusive; the chemist's report is conclusive. The agent's work is thoroughly and carefully performed; the man is brought before the magistrate and there is a hearing, and the chemist appears and the agent appears, and the magistrate is convinced that the accused is guilty and he holds him for court; that case is brought before the grand jury by the district attorney and the witnesses appear with evidence that is conclusive and cannot be shaken, and the grand jury ignores the bill.

MR. WHITAKER: You have got to educate them.

MR. BAILEY: What stand do your daily papers take?

MR. HAMILTON: They are merchantable articles.

MR. PATTERSON: Don't you find that those conditions prevail more in the larger cities?

MR. HAMILTON: They do prevail in the larger cities and they prevail to an extent that is astounding. We had, less than a month ago, 392 cases turned down by the grand jury at one time.

MR. PATTERSON: Possibly the evidence was a little vague.

MR. HAMILTON: The evidence was perfectly clear. The evidence was perfectly clear, definite, distinct, and conclusive.

MR. PATTERSON: Was the state's attorney working in harmony with your commission?

MR. HAMILTON: Well, he appeared before the grand jury.

MR. PATTERSON: If he is not working in harmony with your commission it is almost impossible to secure an indictment.

MR. COPE: I was present, not in the jury room, but I was present and I gathered from the witnesses that the assistant district attorney is the only one who appeared before the grand jury. The district attorney never appears, and the witnesses told me that he appeared to be favorable to us, but they made a wholesale job of it; there were 394 cases, and they made a wholesale job. We have no intimation of the result until thirty-six hours after the cases had been called.

MR. PATTERSON: Well, if the state's attorney is working for the manufacturers it is pretty hard to get indictments.

MR. HAMILTON: This is the practical question: What are we going to do?

MR. PATTERSON: Go into another county.

MR. HAMILTON: How will you do that?

MR. BAILEY: You cannot do anything under those conditions.

MR. ALLEN: We had a similar experience in Louisville. We brought a large number of cases before the grand jury. The county attorney and the prosecuting attorney seemed to be somewhat in harmony with us, but the grand jury did not indict, but we brought the cases up again and they did the same thing. We went to Louisville, two of us, and the best cases we could get, cases not only of misbranding, but cases of adulteration, worked up the evidence and retained the best lawyer we could get in Louisville. We brought these before the grand jury at a time when they did not have so much other press of business and made a feature of it. They were such obvious adulterations that they found indictments. Instead of bringing that large number of cases promiscuously, we worked up the sentiment first and then brought up carefully prepared cases, got the judge in harmony with it, got the prosecuting attorney in harmony with it and retained the best criminal lawyer in Louisville, and as it is now, indictments have been returned and the cases are to come before the court this month to be prosecuted, and that has done us more good than anything we had done before. Since those parties have been indicted the Louisville merchants and manufacturers and wholesalers are sending us many inquiries as to how they shall label and how they shall buy and sell, and I think by working on that small scale, although we spent a whole lot of time and money, it is going to do us more good than all the time we wasted on the hundred other cases.

MR. COPE: Was it pure food?

MR. ALLEN: Yes.

MR. COPE: Ours were oleomargarine cases.

MR. BLACKBURN: Mr. Allen, I think, has struck a very important lead on this subject. It was a thought that was in my mind, and I intended to ask Mr. Hamilton if he had ever tried to pick out a few of the strongest, clearest, and most important cases where the violations are frequent and persistent and the evidence of the violation conclusive and incontestible. I feel that that would have a greater tendency to enlist the interest and support of the local officers upon whom he must depend under the law for his support and for his success. I am moved to that conclusion by an experience that occurred in our own state. There were two or three counties in Ohio where the dairy and food department could not secure convictions under any conditions or circumstances whatever. It was simply out of the question. Public sentiment is arrayed against the department so strongly, so radically, and so practically unani-

mous an official cannot do anything, and the reasons given us are that it is because the authority of the department has been abused in bringing a great number of cases, and cases that, perhaps, upon investigation and good judgment would not have been brought. So that I know it is an easy matter to get the sentiment of the community so clearly defined on this subject that you cannot hope for success in that community. Our troubles in Ohio on the oleomargarine question have been to secure convictions. We have always tried the cases before a jury, and recently we have started out on a line of prosecutions, seeking to eliminate the jury feature from the oleomargarine cases entirely. We have a few cases on the way to the Supreme Court now. One of the cases, in fact, has been filed and is now pending in the high tribunal. We hope to be successful, and if we can do away with that feature in our trials we will be in reasonably good shape to get satisfactory results, but until we do it I do not expect to secure a very great percentage of successful prosecutions.

MR. ALLEN: I think from what experience I have had that although it may be a self-delegated power, that the more the commissioners can keep away from the courts, and do themselves, the better will be the results. If you want to stop a man from selling adulterations you don't want to prosecute him. You may have to deal with him ultimately, but if you will make him see the reason why he should not and give him to understand that after a while he will be prosecuted, sooner or later he will stop it.

MR. BLACKBURN: That of course will work in the case of adulterations, but it will not work in oleomargarine cases.

MR. ALLEN: We had some cases in Frankfort. The inspector took samples broadcast, and they were analyzed. The dealers generally were honest men, and when these cases were sent to the attorney and they were not noticed, another inspection was made; then I took a bunch and went down to the county attorney; we got the law and read it together. He seemed to be in sympathy with it, and I gave him some general information about the way Kentucky was overstocked with impure food on account of not having the law enforced; that other states were sending their refuse into us; and he became very much interested. The next day he went in with the chemist and myself to the grand jury and we were not fifteen minutes in getting the indictments.

MR. HAMILTON: I will just explain that our difficulties in the enforcement of the pure-food law are chiefly with regard to oleomargarine. We have very little difficulty in enforcing the other laws, but in securing convictions

before a grand jury in oleomargarine cases in the larger cities there is a very great difficulty, and we know of no way of reaching these men except with a club. There is no persuasion that will stop a man selling oleomargarine. That is our experience. We have tried some of the methods Commissioner Allen has referred to, but in oleomargarine cases we have got to get after these people and make it a dangerous and unprofitable business for them to sell it. The greatest difficulty that we encounter is with the grand jury.

MR. WHITAKER: I am very much interested in the force of what Commissioner Blackburn says. It seems to me that where conditions are such as they are in Pennsylvania, even one case put through the grand jury and a conviction secured would be better than three hundred cases turned down, although one case might seem to be a small matter in a state of that size; but with the precedent once established it might be a valuable entering wedge. Now, out of the three hundred men you have there, it would seem to me that there would be some who would be of rather poor standing in the community; perhaps they have been previously convicted of some other offense; and I think that a case against some such person might be picked up and put through the grand jury all right and there will be a precedent established. Then take another small case, and bye and bye, with a precedent established in a few cases, some of these fellows who are convicted in the lower court will come in and want to settle. They don't care to be taken before the grand jury.

MR. BLACKBURN: The remark made by Mr. Hamilton in conclusion is to my mind the milk in his cocoanut. If there is fifty thousand dollars in jeopardy in fines, these people can well afford to spend ten, twenty or thirty thousand dollars to have these cases all dismissed and thus defeat the department. Time and again I have said to our assistants, "Don't file too many cases at a time; don't have too many cases pending at a time in one community." We would rather take one case, as Mr. Whitaker has well said, and fight it out and win or lose, than to have a large number of cases thrown out of court. I look upon that as a calamity to the department. We don't set ourselves up as a model, or anything of that sort, because we have about the same hard luck and get about as many bumps as anybody else; but if I were going to make a suggestion to our friend from Pennsylvania it would be, "Don't file so many cases at one time; don't have so many cases come before the grand jury." You have grand juries how often in your state?

MR. HAMILTON: Four times a year in the country districts.



MR. BLACKBURN: Was that in Pittsburg?

MR. HAMILTON: Yes.

MR. BLACKBURN: I presumed it was, because there is such an overwhelming sentiment in favor of oleomargarine there. Supposing you arrest a hundred men in Pittsburg or any other large city: those are all business men; their clerks and employes and customers all have friends. It makes a regular furor in the community, and it would be impossible, or almost impossible, to select a grand jury to pass on those one hundred cases and not have a number of persons on that grand jury that are acquainted with some of these dealers. They think they are persecuted. They think they are imposed upon; they think they are unfairly treated, quite often, and when you add the indifference of a prosecuting attorney to that condition of affairs, the wonder is, not that they are dismissed, but that you ever secure a conviction.

MR. COPE: Mr. Blackburn, what are you going to do? They come in from that district at the rate of about 100 cases a month. What are you going to do—stop and lay down your hands until you get one or two cases disposed of?

MR. BLACKBURN: I would rather get one or two convictions than have a million cases dismissed.

MR. HAMILTON: Never bother with it again?

MR. BLACKBURN: Never bother with it again until you get some fellow licked good and plenty and then the rest will say, "This is getting to be an unhealthy business." But I think it would be the best thing to have your law so amended that you can employ your attorney, who will give your cases his undivided attention, and have it so made that you can get along without the assistance of the district attorney. To do that you have got to do away with the indictment and simply make them misdemeanors and put them under the control of your magistrates.

MR. COPE: We can do that now.

MR. BLACKBURN: I feel much sympathy for these gentlemen because I have been in the fight myself and I have had a good many bumps, and we are gradually getting this thing into shape where we look for some developments within the next year. This is an experience meeting, and I like to discuss these questions by looking at the matter from a distance and thinking over and studying the question, as I have in Pennsylvania. I have always been acquainted with that department and the members thereof, and have taken an interest in them and want to see them succeed; consequently I have paid a great deal of attention to their efforts. And in reply to the question raised by Mr. Hamilton, it looks to me as though those things ought to help. Whether all of them

would is another matter, but it looks to me as though it ought to be very beneficial.

MR. COPE: I don't want to occupy any more time, but I want to state the situation in Allegheny more particularly. We don't seem to have a great deal of trouble anywhere else. On the first day of February—I am speaking now of my administration—we commenced in Philadelphia and Pittsburg to bring all our cases civilly. The consequence was that they either certiorated or appealed in nearly all cases, and that is the situation. They are now lying in the court and we cannot get any action.

MR. EATON of Connecticut: In order to make myself clear in regard to the reports that are made and the statements sent out, one gentleman asked me if we reported a violation of the imitation butter law, oleomargarine law. I will say that we do not. That is simply along the pure-food law. The first violation of the pure-food law we report back, but in the oleomargarine cases, in every instance, wherever we find a violation and have got conclusive evidence, we never report. We always prosecute. And I want to say for the prosecuting attorney of Connecticut that they nearly always stand by the dairy commissioners. There are one or two judges in the state that never stand by us unless we bring very strong cases, but usually they do, with sufficient evidence to prove our case.

MR. NOBLE: There is one case we had in the city of Waterbury a little over a year ago. Mr. Eaton and myself went there and the man had a license for selling white oleomargarine, but we were satisfied he was selling oleomargarine. We had been there some time, but had not been able to locate it. There was a lady in there buying some butter, and Mr. Eaton was well satisfied before he went behind the counter that it was oleomargarine. As soon as the lady went out he told the clerk he wanted a pound of that butter. We had been there before, and what did the boy do but he grabbed the tub and ran out of the door and when I turned round I saw the boy running out of the door and Mr. Eaton after him. They ran down to a livery stable, down the street a little ways. The tub was about half full. By that time the proprietor had come. Well, we told the proprietor he could take that back to the store, but we wanted a pound of it, and he gave us a pound of it.

MR. EATON of Connecticut: I had the tub in my possession.

MR. NOBLE: Yes, when the proprietor got there. We went to the prosecuting attorney, and before we got to the prosecuting attorney the man had been there and said, "They have caught me, and I will pay the maximum fine."

MR. ALLEN: In regard to the enforcement of the oleomargarine law, we have done a little

good work on that in Kentucky, but we have done it all in one city—Lexington. It is evident to me that the anti-color law is the only way you can keep them from selling oleomargarine for butter. If you can make the courts see that you cannot stop it in any other way than to pass measures like the anti-color law, they will begin to take it up. We worked for about six months and brought before the court some seven or eight cases where they had been selling oleomargarine for butter, and the court fined them. We then brought the cases of selling oleo. We had brought in so much evidence to the court that they saw it could not be stopped—they saw the trade; they saw into it. Then we brought up our cases under the anti-color law and the judge told them that they must stop it. They were let off easy the first time, and when they came up again they were fined and the judge told them that if they were brought before his court again they would be put in jail. The manufacturers of oleomargarine sent them down certified checks to pay their fines, but as the judge told them a jail sentence would be given them the next time, they wrote the manufacturers to send a man to serve the time in jail, and since then it has been stopped.

Another way of doing it is to go into a community where the sentiment is in your favor and establish a precedent and that will help you somewhere else. It is the same way with the vinegar prosecutions. Around Elizabethtown it is quite a fruit country and the people manufacture a good deal of vinegar out of apples and out of their various fruits; they look on the sale of vinegar made of acids for apple vinegar as unjust to their trade. We worked some cases there, and that precedent is helping us in other places where they are manufacturing spirit vinegar and labeling it largely apple vinegar. The manufacturers are getting interested in the law and they are beginning to label according to the provisions.

MR. WHITKER: In communities where the anti-color law is unpopular it seems to me the commissioners can work with a great deal of interest in following the decisions of the court in trade-mark cases. I have been very much interested in that and occasionally I have been able to turn a point on the oleomargarine people because they are so persistent in claiming that these anti-color laws are class legislation and all that. Now, I have yet failed to find a single trade-mark case reported in the courts but what the principle we claim to be the basis of our color laws is reaffirmed there, and it has not been many months since that in an equity case over an infringement of the rights of manufacturing and selling beer the defendant was enjoined from selling any beer of the plaintiff's

description and also from selling any colorable imitation thereof. That is exactly the point in this anti-color law, and we can, in some instances, do a good deal of missionary work in some communities by explaining it is only the principle the courts are reaffirming in trade-mark cases. I was very much impressed with this beer injunction, when there was an injunction issued from selling any colorable imitation of the plaintiff's beer.

DR. EATON of Illinois: It seems about as hard to get rid of the oleomargarine question as the article itself, but if not irrelevant I would like to call attention to a peculiar feature of the Connecticut report. It is true some of the states have followed the practice, to some extent, but none of them to the extent Connecticut has done, and that is to report on samples of pure food, giving the entire analysis of the article and the method followed as well. Now, I am sure that that practice will be productive of a great deal of good in Connecticut, because people are just as glad to see their food put in the pure-food column as they would be sorry to see it in the adulterated column, as a chemist I want to thank the Connecticut Commission for publishing those full analyses and descriptions of the methods of analysis, because it has helped me, and I am sure it has helped every other chemist in this work, and in helping us it has helped in protecting the public generally against adulterated food. In our law there is a provision stating that the state analyst shall not give a dealer a certificate of purity to any article of food and that might prohibit the following of this practice in Illinois, but I would like to hear what some of the commissioners think about this, and especially Commissioner Jones, because we have talked on this subject. I would like to hear your idea as to the policy of publishing the analyses of pure foods with the name and address of the manufacturer in the annual report.

MR. HAMILTON: I was very much interested in that feature of this work. In Pennsylvania we have concluded to adopt that method and publish a report, twice a year, giving all the analyses made, and we also add a column in which a statement is made as to whether the goods are adulterated or if they are found to be pure, giving the name and address of the manufacturer. Our forthcoming report, which is just about ready for publication, will contain all the cases from 1900 up until the 1st of July of this year, and then there will be a semi-annual report after that.

MR. ALLEN: I have considered the publication of our report as the best help we have in practically advertising our laws, and we have a system of publishing the result of every analysis



made, whether it is pure or impure. It is labeled of course, as we pass on it, if found adulterated or not adulterated at all, and this goes out and it is generally known among the dealers that what is analyzed is going to be published whether it is pure or impure, and we try to make it as just as possible; and we find when we establish their record—that is, that it is improper, that it is dishonest—it is the best weapon we have in Kentucky to fight with. The “Not found adulterated” people are glad to see it, and it makes the “Adulterated” people dread it.

MR. SHERWOOD: I would like to say a few words regarding the condition in our state. We are not so much interested in prosecutions just now because we are hampered by a short appropriation and other conditions, so that it does not seem to me feasible to go ahead with prosecuting, but we have run up against another proposition, and that is how to protect our friends. For instance, the first thing I did in starting in last March was to send a circular letter to all the wholesalers and all the manufacturers that did business in the state. Nearly all of them replied, nearly all very favorable to the law; they were very glad we had made a law and they were going to take steps to come within it. That was all right, of course. The next thing was to go before the retailer. I started out and wherever I found a class of goods that was not complying with the law, instead of making trouble for the local man I advised him what the condition was and then wrote the manufacturer or the jobber, calling his attention to the impure goods and asking him to cease the sale of it. In nearly every case they replied that they would be glad to take that off of the market in our state; one firm especially in Sioux City said, “All right, we will do just exactly as you ask us to do.” A few days afterwards he said, “Here, what are you going to do for us? If we are going to take our goods off the market in your state, what are you going to do with the others who are not taking them off? We are selling pure cider vinegar, say, at 16 cents a gallon, and our salesman runs up against a merchant that says, ‘Here, I can buy it for six and a half cents, pure cider vinegar—that is, claimed to be’; now, what are you going to do to protect us?” We haven’t the funds to go ahead and prosecute, and if we did it would take two or three years to get the results we are after. The question is in what way can we protect those friendly wholesalers and jobbers and how can we the quickest shut out the man that is not complying with the law? One jobber in our state, the only one that seems to be antagonistic, says that as long as the outside jobber cannot be prosecuted criminally he proposes to be placed on the same basis; he is go-

ing to sell whatever the outsider sells; he is going to sell any goods the merchant asks for, for the reason the outside man has the same opportunity. Otherwise the jobbers all seem to be in favor of the law.

MR. BAILEY: I would say, “We cannot let the whole state suffer in the interests of two or three.” In my case, if a man was selling cider vinegar for six and a half cents I would make him furnish cider vinegar.

MR. SHERWOOD: You understand, we have a large state and cannot cover it all in one day; that seems to be the trouble.

MR. BAILEY: The only way to correct it is to stop the sale of the other man’s goods.

MR. SWEETING: I believe most of the states are trying to enforce those laws too far, and too much in a wholesale way. We never have any trouble in Wisconsin in enforcing our laws, even on the oleomargarine question. We will take one up in a certain part of the state and prosecute him, take another in a different part of the state, say, 50 or 100 miles apart. We never experienced any trouble, only in one case. My deputies arrested four men for selling oleomargarine in Racine and those four men fought us, and those cases have been in court over three years. Last winter I had four cases I got at Merrill and I was advised not to prosecute them, that they would beat us, and all that sort of talk. I went in and had one man arrested and won the case; I went back and had the other two arrested and won those two cases, and we never had any trouble after that. I have had twenty-four arrests since the 19th of last January and won every case, and they have been scattered over all parts of the state.

MR. SHERWOOD: Where you are prosecuting any one individual you are doing an injustice to the rest of the people by not doing the same thing to his neighbor.

MR. SWEETING: We cannot prosecute them all at once, but where we prosecute this one that scares his neighbor; his neighbor will think, “Now, he is going to get after me in a short time,” and he will quit; and by working carefully in that way we have fairly wiped them off the map. Last winter we had a bill passed in the legislature prohibiting a man coming into our state and taking orders for oleomargarine, but we have not caught any there since the law was passed; but if we ever do we will certainly prosecute them. In northern Wisconsin, in the lumber camps, they use a great deal of oleomargarine, but they board the men there and we don’t object to it. But this winter if we catch anybody in there taking orders for oleomargarine we will prosecute the agent, so we think we will wipe it out considerably from the northern part of the state.

PRESIDENT JONES: The next paper on the

program is an address by the commissioner of Michigan, Hon. W. B. Snow. I understand Mr. Snow will not be here and that he would like to have permission to have his address published in the record of the proceedings.

MR. ALLEN: I move you, sir, that he be given that privilege.

Which motion was duly seconded and carried.

MR. BLACKBURN: An explanation should be made in the published report that this paper was not read at the meeting, but was published because of the unavoidable absence of the commissioner, otherwise there may be some sentiment expressed that we might be unwilling to endorse.

PRESIDENT JONES: The next matter is the discussion by Mr. McConnell of St. Paul and Mr. McDonald of Washington, who are both absent. That concludes the program, as I understand it. The next will be the report of the treasurer.

The treasurer's report was then read, as follows:

|                                                  |          |          |
|--------------------------------------------------|----------|----------|
| Balance on hand Nov. 22, 1900.....               | \$ 39.05 |          |
| Received from Connecticut.....                   | 10.00    |          |
|                                                  |          | <hr/>    |
|                                                  |          | \$ 49.05 |
| Paid for printing report, Milwaukee meeting..... | \$94.50  |          |
| Paid for printing programs, Buffalo meeting..... | 7.40     | 101.90   |
|                                                  |          | <hr/>    |
| Balance against association Oct. 15, 1901.....   | \$ 52.85 |          |

The Finance Committee recommended that an assessment of \$10 on each state represented be levied, and, on motion of Mr. Noble, the recommendation of the committee was adopted.

MR. SHERWOOD: It seems to me that the subject of labels should not be passed over. I regard that as one of the most important matters before the meeting. These manufacturers are putting these goods all over our state, and unless this association adopts something in the way of a uniform label they are all at sea, and it seems to me we cannot pass over that part of the program.

PRESIDENT JONES: With the understanding that the Committee on Resolutions, Messrs. Blackburn, Noble, and Hamilton, may retire to consider its report, we might proceed with this question of labels while the committee is getting ready to report.

MR. BLACKBURN: I want to say in reply to Mr. Sherwood that if he will take the proceedings of last year and look at the report of the Committee on the Better Unification of Laws and Rulings, he will see the difficulty with which the committee had to contend. I want to state, to make a long story short, that it is

utterly impossible to have uniform labels where the laws are all different. There is such a difference in the legislation of the states that it has been impossible to get uniform rules and uniform labels, and our object has been as far as possible to secure uniform legislation, but because of the fact that the office of dairy and food commissioner and the other officers charged with enforcing laws change so frequently we have not made any progress towards securing uniform legislation, so far as I know. We have been looking forward to the time when we would have a national law on the subject, but Mr. Brosius, the father of the pure food law, is now dead; Senator Mason, one of its champions in the Senate, is in a fight for re-election, and I do not see a very glittering prospect of national legislation at this time. The fact that we have a new administration as well as new questions to contend with, the fact that there will be important legislation needed because of the Supreme Court decisions in the insular cases, I think we will have to work out our own salvation along legislative lines. That is the way it looks to me at the present time.

MR. SHERWOOD: It occurs to me, from the discussion and the position taken by the different commissioners, that to a certain extent the commissioner used his own discretion in regard to prosecuting; he is not prosecuting everything, outside, of course, of the oleomargarine cases; he is not complying strictly with the law, to have the law enforced in the state in every single instance, and it occurs to me that the commissioners here, regardless of the law, could adopt some uniform system of labeling. As I stated, if they could adopt or agree upon something along the line of an average label, perhaps it would not comply legally in every state, but at the same time it would be reasonable and could be adopted by such firms as the large vinegar manufacturers, and so on; they could get out something that would be reasonably in compliance with the laws of all of the states and at the same time not require them to make a different label in every state. For instance, our state requires that in adulterations the word "Adulterated" or "Compound" shall precede the name of the article; for instance, on the front of the package "Compound Jelly" or "Adulterated Pepper." The words must come together and the manufacturer's name must precede that. Now, to my mind, if some other arrangement were made to comply, perhaps with some other state, that I would pass that arrangement and would not require just that exact wording, and some other state might have some other provision. We could get at some average way of fixing it so that it would nearly comply with all the states and at the same time



not compel these firms to make a different label for every state.

MR. BAILEY: I do not see how very much can be done outside of national legislation along this line, because the different state legislatures only meet once in two years, and what laws you have got on the books stand for two years.

MR. SHERWOOD: I refer to rulings of the commissioner.

MR. BAILEY: But the ruling of the commissioner is not law.

MR. JONES: I will say that Mr. Grosvenor of Michigan is here. He has had a lot of experience along this line and if it is the pleasure of the convention I think we will be pleased to hear what he has to say.

MR. GROSVENOR: I think if the gentleman from South Dakota would consider the question of labeling food products and carefully separate the specific from the mixed it will immediately become clear why commissioners cannot get together under their different laws. Now, of course, the pure products are salable under their correct names in any state. I do not need to consider specific articles at all, but when you come to mixtures you will remember that practically all the food laws in the different states are the same down to the general proviso; there is, say, six or seven sub-divisions that shut out every possible adulteration or mixture; then it becomes necessary to make some provision for the sale of harmless mixtures, and so they have added that proviso. The trouble is that although the laws are the same down to that point they are very different from that point on in almost every state. For instance, Michigan copied from Ohio, but some wise and more learned member of the legislature says, "The Ohio provision is not any good; I am going to make a new one." Then Wisconsin undertook to copy Ohio, or Massachusetts, or Pennsylvania, or Michigan, and no proviso in any of the laws was suitable for Wisconsin, and so they gave us a different proviso, and so on all the way through. Now, when you come to the questions of mixtures or compounds, you are absolutely beyond any chance of unifying these rulings, and you must do one of two things—you must arbitrarily rule against the spirit and letter of the law, which, it seems to me, that the commission has no right to do, or you must let things go as they are, and if we are to come to a question of arbitrary and assumed power for rulings, it brings us right up to the question which was discussed here yesterday as to preservatives. There is no law, for instance, in Pennsylvania specific on preservatives, I believe.

MR. COPE: Yes, there are specific laws on milk.

MR. GROSVENOR: I mean a general law.

Now, I am not endeavoring to criticize it. It is a good example of the general principle of whether a commissioner should undertake to assume an arbitrary power; by arbitrary I mean something that is not specified in the law. Now, you have said, "You shall use no preservatives in the state of Pennsylvania excepting wood smoke," etc.; now, to my mind the operation of that law, when put into effect, would absolutely bar every preservative except those you have mentioned, because in order to make that ruling you must refer back to the fact, which you say is a fact by your very ruling, that all other preservatives are injurious. Now, I don't see how that ruling can bring us to any other conclusion. In the first place, you say, "If it cannot be preserved by any other methods, then you may use preservatives," but you would not say "you can use injurious preservatives." You would say if a man wants to manufacture anything he has to use harmless preservatives. You won't allow injurious preservatives in any case. Now, you come to the question of food which can be preserved by other methods and you say to the man, "You shall not use any other preservative whatever except these that are specified." Now, haven't you said by that very language that any other preservative than the six or seven you have mentioned are injurious to health? I don't think there is any gentleman here would claim there is any power in the legislature, let alone the ruling of the commissioner, to prohibit—not regulate, or restrict, or restrain—but to prohibit the use of any harmless substance in the preparation of food products. Therefore, you have said all other food products are injurious, and to-morrow our friends the chemists find preservatives which they extract from the clouds, something new; they never heard of it. Perhaps all the scientists you could get would say that is the most harmless preservative that could be found, still, you have barred it. I do not assume to say all the known preservatives are injurious. Now, take another question, and this time it certainly does not hurt the state of Pennsylvania, but the state of Wisconsin. The commissioner of the state of Wisconsin, something like a year ago, promulgated a ruling to the effect that any lemon extract to be salable in Wisconsin must contain 5 per cent of lemon oil. I do not think the gentleman ever claimed that he had any authority, that there was anything in his law whatever to warrant that ruling, if you can call it so, but he made it nevertheless, and the result is that a good many states have followed his advance along those lines, and the tendency all the way through is for one commissioner to make a special study of a subject and then take a step forward and make a ruling and the other com-

missioners drop right in line. It is almost universal now, but at the time it was promulgated there was a lot behind it; there was some reason for it; to-day there is none, absolutely none, and it seems to me the ruling now is wrong. At that time there was no chemical method known for the identification of true from false vanilla, and they said if you cut the color out, the false being white and the true rather brownish, they will stand for themselves; but to-day we have got a method—since that time a method has been developed for the identification of the true. Therefore, there is no more reason for the ruling than there is for the coloring of lemon extract, which does not exist in any state. I just simply mention these things to show how easy it is for all the commissioners to follow one after a ruling has been made and I look with a great deal of regret at the apparently growing tendency of the commissioners to rule arbitrarily—that is, outside their laws. Now, you might just as well say that we can all unite here to-day on a certain set of rules; there is just as much authority for us to do that as there is for that lemon-extract ruling. We might all say, "We will appoint a committee and the committee shall go ahead and make certain absolute specific rulings for the sale of all food products and we will all follow them," and by the time you went to court in Oregon—excuse me, you don't go into court in Oregon—about the time a gentleman in New York State went into court and had no authority for a certain ruling, but they had authority perhaps for that ruling in Illinois, where is his case? Mr. President, I believe the true, honest standard and rule by which rulings should be made is the one that will stand the test in the courts. I believe no commissioner should ever promulgate a ruling which he is not willing to test in court in a friendly suit. I don't believe each time a commissioner goes into court he has to have a row with the man he goes in with. I don't believe when a commissioner sits in his office and says, "Well, I will make a ruling so and so," that he is absolutely arbitrary in making that ruling. I don't believe so, but I believe every ruling that is made should receive the endorsement of two authorities; first, a competent chemical authority, and, second, of your legal adviser if you have one. But this word "ruling," it seems to me, is unfortunate. If the commissioner had started out originally with the word "construction," never issued a "ruling," a word which seems to carry with it the idea of assumption—if they had used the word "construction" and meant it to be just what the word means, a construction of their law warranted by legal and scientific advice, I believe that a great deal of trouble would have been avoided. We have had this

subject up in the past and it has been discussed before. I think that is the true test—"Does your law cover it?" I think the minute the commissioner steps outside of these lines he is making a mistake, but when some legal adviser tells him he is strictly within his powers under that law, it is all right. Now, I am the greatest believer in the world in standards. I believe if the convention of agricultural chemists, which I understand meets in Washington, if they could be prevailed upon to state what in their judgment was a fair set of standards for a certain article, and then if your state laws should recognize the work of the official Association of Agricultural Chemists and say this shall be the standard in the state of Pennsylvania, why, you certainly would have the authority for it and the commissioner under the language of his statute would have the power to take that standard and enforce it. But as the commissioner of Wisconsin said a year ago, he said, "I haven't any authority to make this ruling, but it is a good ruling, isn't it?" Perhaps it is. I thank you.

PRESIDENT JONES: Mr. Grosvenor, could you give the convention your theory—that is, your way out of this trouble—some way to obtain uniform rulings? You have studied the matter a great deal and I would like you to give your advice to the convention as to how this can be obtained. Can it be obtained, do you think, through the passage of state laws or a national law? We would like to have the benefit of your thought on the matter.

MR. GROSVENOR: Well, Mr. President, I did not reach here until after the President's address was made, but I understood he took some such ground as this, that that national law, when it is passed, shall be as near that point as it shall be possible to make it and that state regulations shall be made in conformity with the national law and then that any commissioner who undertook to rule outside of the instructions or rulings of the national government would not be supported in his ruling. Accordingly if this association is kept up and you meet yearly and take each other's opinions back with you, I think it would be utterly fallacious for any one man to stand out against this association. A national law along reasonable, equitable, and just lines, and a national commissioner. I think, is the proper thing, and, of course, the commissioner must have a wide power to make rulings. For instance, the national law, assume you take some such form as the Babcock bill or the Kentucky or the Virginia law, should give to the commissioner quite wide powers in regard to building standards. And, of course, the national law, it seems to me, in itself can only to a certain extent restrict interstate trade, but in that way where is the object, you might say?



Nobody can bring into a state an adulterated article and claim the exemptions that are allowed under the interstate commerce act, because they cannot bring adulterated pepper in; it is protected under the name of pepper. Therefore, it cannot be brought into the state. It is an entirely different question than the question of oleomargarine, and, while we have heard it discussed here, and it has been assumed at different times that the original package decision applied to adulterated goods, it does not and cannot. It seems to me that a national law only can do this. I believe that the President has stated in his annual address that is the only possible way; that is pretty strong language, but I believe it—the only possible way that we can unify the rulings of the different food commissioners. We know what it is to have the manufacturer have the goods in his warehouse marked "Illinois," "Wisconsin," and so on, and he has got his goods staked up under these different states, and he cannot put up all these goods himself, and some day a man goes wrong and makes a mistake and reads "Michigan" to be "Wisconsin," and ships the wrong goods. These things are all every-day occurrences, and we know what it means, not only for the manufacturers, but for the food commissioners and the general public. Nothing could come about which would be of so much practical benefit as the unification of these laws, and, of course, it is in the President's own knowledge that that was the object, so stated in the constitution, so stated in the call for the first meeting, which brought this association into life.

MR. WHITAKER: From my standpoint as a Massachusetts man, filled with Massachusetts experiences and practices, all this talk about rulings seems to me to be nonsense, to be very frank and plain about it, for this reason: We could not do anything in our state that was not backed up by the statutes or a Supreme Court decision under the statute. We might make rulings until doomsday and they would be just as worthless as last week's newspaper. The manufacturers would snap their fingers in our faces and say, "Where is the law, where is the court decision? We are going to run our goods into your state regardless of your decision because you cannot back it up in a suit." When Mr. Grosvenor wrote to me for a copy of the rulings in our state, I wrote back, "We have no rulings except the statutes and the Supreme Court decisions." It seems to me from my environment a little bit strange to hear this talk about rulings and this great amount of—almost sanctity—that seems to hover about them. I cannot see what it amounts to.

PRESIDENT JONES: In Illinois, which is a great manufacturing state, the same as yours in Massachusetts, every manufacturer, just as soon

as I was appointed commissioner, wanted to know what my construction was of this law, and such and such a section, and so on. I made what they are pleased to call rulings or constructions of the law, in order to avoid answering so many questions; that is why I made them.

MR. WHITAKER: In my state a man brought in a tub of straw-colored oleomargarine and said, "What is going to be the policy of your department?" I replied, "Here is the statute; I have no right to change one letter or one syllable of the statute; there is the law, and you are just as good an interpreter of English as I am. I have no right to pass upon the law. I may or may not put you into court for selling that stuff if I find it in your possession. You can have good lawyers to help you in your interpretation of the law, but the law is the basis of my action, and the court makes the decisions. I cannot make a ruling under any law, and even if I did, my interpretation might be all wrong."

PRESIDENT JONES: Your experience has been much greater than mine, being an older state and having more experiences; Illinois is new in this line. The trouble I had was this: Here was a certain article that they wanted to manufacture, a certain line of goods that they wanted to manufacture, and they wanted to know whether it would come within the law; they seemed to be honest and all that, and I felt it was my duty, if it was a plain question, to answer it, which I did. Then the next question that came up was the question of labels. Every large manufacturer in our state submits his labels for us to pass upon and we have been doing that. It has taken considerable time and we have quite a good deal of litigation and trouble in that way, but I did not know what had been your experience along that line; that is why I asked the question. Do they submit labels to you in your state?

MR. WHITAKER: That comes under the Board of Health, but as a matter of fact the law specifies what the labels shall be and then it is for the courts to decide on the evidence in each case whether the law has been violated.

MR. BAILEY: As I understand my duties, it is to leave to the court the deciding of those things and simply say to the parties, "Here is the law; any reasonable man can put an interpretation upon it."

MR. ALLEN: I think there are two sides to this question, the one Mr. Grosvenor was trying to get at—that is, prosecutions that arise from technicalities—the other is not your prosecuting and your ruling so much as your keeping from prosecuting by your ruling and cooperation with the food dealers. I think what Mr. Grosvenor was getting at is your power to rule and not prosecute so much, because I believe a sensible, experienced commissioner, with

a good law that delegates a great deal of power upon him, is very much better than a loose commissioner or a poor commissioner, with everything specified in the law.

MR. GROSVENOR: The gentleman probably understood me as well as my language would allow him, but that I did not mention. This is the thing: A commissioner does not prosecute, but he has got a force of inspectors scattered through the state and they go up and down through the state and prohibit the sale of certain things and say to the retail trade they should not sell it. You know what that means; the ordinary retail dealer will not sell it. That commissioner has made an arbitrary ruling and that commissioner is practically forbidding the sale of any of that class of goods within the state. Now, that is unfair advantage for the commissioner to take, but that is the result of it; he did not mean that when he made the ruling; he did not go that far into it, but you are virtually, through this system of inspection, driving from the state a class of goods which the law allows. Is that proper? I think not.

MR. WHITAKER: If the Board of Health should make a ruling in relation to catsup, for instance, the country grocer would get scared, and write his wholesale house that he did not want to buy their goods on account of the ruling of the board. The wholesalers or manufacturers would write for a copy of the laws, and notify the grocer that the board had exceeded its powers and tell him to go ahead and sell the goods and they would stand back of him, and there we are up against it. We either have to back down before we get the case into court or put the case into court and be backed down there. So what good is a ruling?

MR. GROSVENOR: The gentleman from Massachusetts is enforcing the dairy laws. An oleomargarine man gives you a fight every foot of the road; he hasn't any business reputation, but I undertake to say that the gentlemen who sell food products in this country have a business reputation and won't go into a contest with the food commissioner on any proposition. They simply say, "We want to know what the law is and then we will live up to it." The reason for preliminary rulings is this: that the laws are technical; they say, "You shall not sell baking powder if it is not so and so," but they say in the other case, "You cannot sell oleomargarine; you cannot sell colored imitation butter." Your food laws are contained in seven general propositions. Now, what does that mean with reference to potato starch, wheat starch? The ordinary man is not competent to say; the ordinary business man would not give time enough to these different food laws to know just what that means and he has the right to have, in my judgment, the benefit of a construction by those

charged with the enforcement of those laws, and he wants it, and I think every commissioner will get hundreds of letters every year asking, "What is the ruling on so and so?" You do not give them in dairy matters. We make a ruling without prosecuting that man for putting up that article.

MR. WHITAKER: In our state a Board of Health prosecuted a large importing firm for selling French peas that were colored with salts of copper. There was a long trial and a failure to convict on the part of the plaintiff, so that in our state, as the result of that trial, peas colored with salts of copper are allowed to be sold; but if it had not been for that trial it would have been extreme folly, it seems to me, for the commissioner or Board of Health to have ruled that they would allow peas to be sold colored with salts of copper.

MR. GROSVENOR: It is not a specific statute?

MR. WHITAKER: No. It would have been foolish, it seems to me, for the commissioner to have made a ruling under that general law, and he would have taken upon himself the liberty of allowing them to be sold.

MR. GROSVENOR: He made the ruling when he prosecuted?

MR. WHITAKER: No; the court made the ruling.

MR. GROSVENOR: I think if you will consult the United States decisions of late date, they said the law's constitutionality cannot be made and unmade by juries. Of course, the juries are the judges of the fact.

MR. WHITAKER: But it may be so difficult to get a conviction from a jury that the commission may decide it is unwise to prosecute that class of cases.

MR. GROSVENOR: That is a question of policy.

MR. ALLEN: President Jones has just said that he passes on the labels. I think it has been brought out, every evidence has been shown that the commissioners make rulings on the different food products. Their judgment delegates them with certain powers. Now, the question is, how far can you bring these rulings to coincide and be in harmony and co-operate? I think that is the vital question. If Mr. Jones passes on a label, how will somebody else pass on that label, and can we all co-operate in passing on that label? If we do that, we will make it better for the manufacturer.

MR. PATTERSON: I think all this matter of labels and adulterations—that is, the uniformity of labels and adulterations—I cannot see any way out of the dilemma except through a national pure food law, and I think it would be wise for this convention assembled at this time to appoint a committee to frame a law that would cover the whole question looking forward



to a national pure food law with commissioners in harmony in all the states on the same line as at the Interstate Commerce Commission. I think the uniformity of rules and labels could be more nicely arranged throughout the United States in the shape of a national law. Now then, suppose in any state where there is a pure food law in force, the question of poisonous matter or adulteration comes up, say, for example, in baking powder. There is a law going to be introduced or passed in the legislature of any state, immediately upon the introduction of that law the men that are running the different baking powders—take, for example, the Royal Baking Powder—they have such a power on the press throughout the United States and in almost any state that they are doing business they can use their influence from the standpoint that they advertise in every paper throughout the country and possibly even in every town in the state; that influence upon the press throughout the state can bring the power down upon the representatives and senators of their respective localities to such a great extent that their coming election is invoked and they can kill the law, any new law that might come up, and a national law would do away with a great deal of these difficult questions we are up against now. I would like to hear from some of the others on this point.

MR. COPE: In regard to our method of establishing standards, our present rulings, I mean, on standards, we took the general food law of 1895. We called together our attorneys, of which we have five, and our chemists, of which we have six; we spent considerable time over this matter and after a spirited discussion the present rulings and the definition and so forth were established. Of course, our attorneys advised us that some of these rulings might have to be tested in court. We decided, if it became necessary, we would do that.

The report of the Committee on Resolutions was then presented, as follows:

MR. NOBLE: The first matter taken up by the committee was the matter of changing the constitution; the committee thought that, as there already was a constitution and not having a copy of it before us, that it would be perhaps advisable to defer the changing of the constitution until the next annual meeting, and the committee recommends that the matter of changing the constitution be laid over until the next annual meeting.

The committee recommends that the President's address be approved and printed in the report of the meeting.

Recommend that the association pass resolutions endorsing the Grout bill and submit the following resolution:

"Resolved, That we, the members of the Na-

tional Association of Dairy and Food Commissioners, in session assembled at Buffalo, New York, on this 17th day of October, 1901, hereby request the Congress of the United States to pass the bill now pending before that body known as the Grout bill, relative to oleomargarine.

"That, in our judgment, this is a wise measure;

"That we firmly believe that this measure will prevent fraud in the manufacture and sale of oleomargarine, and will give needed protection to the butter-producing interests of the country."

The committee also submits the following resolution:

"Resolved, That inasmuch as questions are arising which must soon be determined by the dairy and food commissioners of the several states respecting the use of preservatives and their physiological effects upon various foods and preparations offered for sale to our citizens, and which are articles of common use; and inasmuch as the dairy and food commissioner of any state is not in position to take up the investigation of these important subjects owing to lack of funds and the limited time which any dairy and food commissioner is likely to be in office, we request the Department of Agriculture at Washington to begin, as soon as their conditions will warrant it, investigations into these matters which shall determine the physiological characteristics of these preservatives in an authoritative way, and that the result of their investigation be published for the benefit and guidance of the dairy and food commissioners of the several states, and that until such investigations are made by the Department of Agriculture or some other competent authority, and the physiological effects of food preservatives determined, the dairy and food commissioners recommend that the use in food of all preservatives of doubtful character be discouraged."

The committee also submits the following resolution:

"Resolved, That we approve and endorse the prosecutions in the state of Ohio for the sale of glazed and adulterated coffees."

The committee has agreed on resolutions here in regard to this other subject, the publishing of the report of the proceedings of the convention, and recommends that the proposition be accepted.

MR. PATTERSON: I move that the report of the Committee on Resolutions be received and adopted by this convention.

Which motion was seconded by Mr. Bailey and duly carried.

PRESIDENT JONES: I believe the next thing in order is the election of officers.

MR. EATON: I move that a committee of

three be appointed to bring in a list of nominations, submit nominations.

Which motion was seconded by Mr. Patterson and duly carried.

Messrs. Eaton, Hamilton, and Blackburn were appointed by the chair to act as the Committee on Nominations, and reported as follows:

President—A. H. Jones of Illinois.

First Vice-President—Jesse K. Cope of Pennsylvania.

Second Vice-President—George M. Whitaker of Massachusetts.

Third Vice-President—R. M. Allen of Kentucky.

Secretary and Treasurer—John B. Noble of Connecticut.

Executive Committee—J. E. Blackburn of Ohio, H. C. Adams of Wisconsin, J. W. Bailey of Oregon.

On motion of Mr. Patterson, seconded by Mr. Bailey, the report of the committee was adopted as a whole.

On motion of Mr. Patterson, seconded by Mr. Hamilton, the secretary was instructed to cast one ballot for the election of all the officers named, which motion was put by Mr. Eaton of Connecticut and unanimously carried.

MR. BLACKBURN: I am reminded that we overlooked one resolution in our hurry. I suggest to expedite matters that this committee be authorized to submit a suitable resolution to the printer on that subject, endorsing the national pure food law and that we authorize and deputize and empower Mr. H. C. Adams of Wisconsin to represent this association in Washington on all questions relating to legislation on the butter or oleomargarine questions and in regard to the Grout bill.

MR. PATTERSON: I second the motion.

PRESIDENT JONES: You have heard the motion of Mr. Blackburn that Mr. Adams be appointed a committee to look after the passage of the Grout bill, to represent the association on oleomargarine legislation, with power to appoint assistants.

The motion was duly carried.

MR. PATTERSON: I move that this convention empower the chair to appoint a committee, possibly of seven, inasmuch as there seems to be a good many Eastern states represented here, to go to Washington next winter, looking forward to the national pure food law and present to

Congress anything that might bring about that result, together with yourself as chairman.

Which motion was seconded by Mr. Eaton of Connecticut and duly carried.

MR. EATON of Illinois: I wish to call attention to the fact that the association of official Agricultural Chemists meets next month in Washington, D. C., and at that time they will probably take up the questions of standards for foods. For the first time in their history they are preparing methods of analyses for food and giving time to the discussion of dairy and food products. Up to this time that has never been done; they have confined their attention to fodders and feeding stuffs, but now they are going to take up the dairy and food work and regulate the methods of analysis for it, and I presume they will take up the question of standards, and that is very important to the members of this association. Mr. Blackburn and others mentioned the assistance they would give us by setting standards for this work. I do not know but what it would be a proper thing to appoint a committee to represent the dairy and food commissioners at that convention and report to this association.

MR. BLACKBURN: I think the suggestion is a most excellent and timely one and I think it should be acted on, and for that reason I move that such a committee be appointed. We have had two very faithful attendants here, two expert and competent chemists, Mr. Eaton of Illinois and Mr. Doolittle of Michigan, and I suggest to the chair the propriety of putting them on this committee. I move that such a committee be appointed.

Which motion was seconded by Mr. Bailey and duly carried, and Messrs. Eaton and Doolittle were appointed as such committee.

On motion of Mr. Eaton, Mr. A. S. Mitchell, state chemist of Wisconsin, was added to the committee and on motion of Mr. Hamilton, Mr. William Freer of the State College of Pennsylvania, was also appointed as a member.

On motion of Mr. Bailey, seconded by Mr. Sweeting, the place of meeting of the next annual convention was fixed at Portland, Oregon, on the 8th, 9th and 10th of July, 1902.

On motion of Mr. Eaton of Connecticut, the convention adjourned to meet at Portland, Oregon, on July 8th, 1902.







Mount Hood from Lost Lake, Near Portland, Oregon.



Birds-eye View of Portland, Oregon, and Harbor.

Where the next convention of The National Association of State Dairy and Food Departments will be held.

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